

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

C.P. (IB) No.308/BB/2019
U/s 8 of IBC, 2016
R/w Rule 6 of I&B (AAA) Rules, 2016

In the matter of:

M/s.Brite Rubber Products
Having its registered office at:
No.3/23, Ram Mandir Industrial Estate,
Ram Mandir, Road,
Goregoan(East),
Mumbai – 400 063 - Petitioner/Operational Creditor

Versus

M/s.Sangameshwar Surgical Pvt. Ltd
O/a. No.C-9& 10, KSSIDC
Kapnoor Industrial Estate,
I Stage Ring Road,
Gulabarga – 585 104 - Respondent/Corporate Debtor

Date of Order: 26th September, 2019

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Dr. Ashok Kumar Mishra, Member (Technical)

Parties/Counsels Present:

For the Petitioner : None
For the Respondent : None

ORDER

Per : Dr.Ashok Kumar Mishra, Member (Technical)

1. C.P. (IB) No.308/BB/2019 is filed by M/s.Brite Rubber Products (hereinafter referred to as 'Petitioner/Operational Creditor') under Section 8 of the IBC, 2016 read with Rule 6 of the I&B (Application to Adjudicating Authority) Rules, 2016, by inter alia seeking to initiate Corporate Insolvency Resolution Process in respect of M/s.Sangameshwar Surgical Pvt. Ltd (hereinafter

referred to as 'Respondent/Corporate Debtor') on the ground that it has committed default for a total outstanding amount of Rs.2,80,348/- (Rupees Two Lakh Eighty Thousand Three Hundred and Forty Eight Only) being the principal amount along with 18% simple interest p.a.

2. The Petition was filed before the Bench on 07.08.2019 and on scrutiny of the application, the Registry has raised certain office objection on 21.08.2019 and the same were not complied. However, the office objections were not complied with in the time granted and the case was listed on 19.09.2019 for non-compliance of office objection and on that day neither the counsel nor the Petitioner appeared before the Tribunal.
3. Therefore, the case was posted under the caption "For Dismissal" on 26.09.2019. Today also none appeared for both the parties. Therefore, it indicates that the parties are not interested to prosecute the case and thus there is no other alternative for the Tribunal except to dismiss the case for default for non-prosecution.
4. Hence, C.P(IB) No.308/BB/2019 is dismissed for default for non-prosecution of the case. No order as to costs.


(ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL


(RAJESWARA RAO VITTANALA)
MEMBER, JUDICIAL

Raushan