

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No.102
C.P.(IB)/149(AHM)2023

Proceedings under Section 7 IBC

IN THE MATTER OF:

The Bank of Baroda Ltd
V/s
Setco Automotive

.....Applicant

.....Respondent

Order delivered on: 13/12/2023

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Ishtiaq Ali, Adv.
For the Respondent : Mr. Roshan, Adv.

ORDER

It is seen that neither the order dated 28.06.2023 nor last order dated 30.10.2023, have been complied with by the applicant even today. Instead, the applicant submits that he has filed some IA for recall of the order dated 30.10.2023, whereby the cost of Rs. 25,000/- was imposed for continued non-compliance of the order dated 28.06.2023.

We do not find any reason either to further extend the time or to waive the cost, as requested by the Counsel for the applicant.

The applicant has failed to rectify the defect in the application within seven days despite various opportunities given in terms of Section 7(5)(b) proviso of the IBC. Further, it is also seen that the applicant is in complete disobedience of the orders of this Tribunal.

Accordingly, **C.P.(IB)/149(AHM)2023** is rejected being defective.

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)