

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

C.P. (IB) No.252/BB/2019  
U/s 9 of IBC, 2016  
R/w Rule 6 of I&B (AAA) Rules, 2016

**In the matter of:**

M/s. ACC Limited  
No.003-A, Ground Floor,  
'The Estate', 121,  
Dickenson Road,  
Bangalore – 560 042.

- Petitioner/Operational Creditor

**Versus**

M/s. Krishna Enterprises (Housing  
and Infrastructures) India Pvt. Ltd.  
Project Krishna Shelton,  
Flat 103, Kattigenahalli, 'A' Block,  
Baglur Cross, Yelahanka Hobli,  
Bangalore – 560 063.

- Respondent/Corporate Debtor

**Date of Order: 22<sup>nd</sup> July, 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 : ---

**ORDER**

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

1. C.P. (IB) No.252/BB/2019 is filed by M/s. ACC Limited ('Petitioner/Operational Creditor') under Section 9 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. Krishna Enterprises (Housing and Infrastructures) India Private Limited ('Respondent/Corporate Debtor') on the ground

- that the Corporate Debtor has committed default for a total outstanding amount of Rs.2,40,000/- (Rupees Two Lakhs Forty Thousand Only) plus 12% interest from 24.12.2016 till realization.
2. The Petition was filed before the Bench on 23.05.2019 and on scrutiny of the application, the Registry has raised certain office objections on 29.05.2019, and the same were sent by email to the Counsel on 29.05.2019. However, the office objections were not complied within the time granted, and the case was listed on 01.07.2019 and 17.07.2019 for non-compliance of office objections, and on both these days neither the Petitioner nor Counsel for the Petitioner appeared before the Tribunal.
  3. On perusal of the records, it shows that the case is not being prosecuted diligently. Therefore, the case was posted under the caption "**For Dismissal**" on 22.07.2019. Today also neither the Petitioner nor Counsel for the Petitioner appeared before the Tribunal. It shows that the Petitioner is not interested to prosecute the case, and therefore, the Petition is liable to be dismissed for default for non-compliance of office objections.
  4. In the result, C.P. (IB) No.252/BB/2019 is dismissed for default for non-compliance of office objections. No order as to costs.

  
**(ASHOK KUMAR MISHRA)**  
**MEMBER, TECHNICAL**

  
**(RAJESWARA RAO VITTANALA)**  
**MEMBER, JUDICIAL**