

NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH
COURT- V

17) C.P.(IB)/612(MB)2021

CORAM:

SMT. ANURADHA SANJAY BHATIA
Member (Technical)

SHRI H. V. SUBBA RAO
Member (Judicial)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **30.09.2022**

NAME OF THE PARTIES: ORBITTAL ELECTROMECH ENGINEERING
PROJECTS
PVT LTD
V/S
DSM NUTRITIONAL PRODUCTS INDIA PVT
LTD

UNDER SECTION 9 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

Mr. Gaurav Pandey, Advocates appearing for the Petitioner is present through virtual hearing. Counsel appearing for the Petitioner brought to the notice of this Bench that the above Company Petition is filed claiming an amount of Rs. 60,87,894/-. Subsequent to the MCA notification dated 23.03.2020 raising the threshold limit from Rs. 1 lac to Rs. 1 crore, the above Company Petition is not maintainable in view of the NCLAT order in *Jumbo Paper Products Versus Hansraj Agrofresh Pvt. Ltd* and the order of the Hon'ble Kerala High Court in *M/s Tharakan Web Innovations V/S NCLT Kochi Bench and another.* in writ Petition No. WP(C). Nos. 27636 of 2020 & 14158 of 2021 Dated 01.02.2022.

However, the Learned Counsel appearing for the Petitioner requested to keep the above matter pending till the appeal against the order of *Jumbo Paper Products Versus Hansraj Agrofresh Pvt. Ltd* is decided by the Hon'ble Apex Court. Since there was no stay granted by the Hon'ble Supreme Court, the request of Counsel appearing for the Petitioner is rejected and the above CP No. 612/2021 is **disposed of** for want of threshold.

SD/-

SD/-

ANURADHA SANJAY BHATIA
Member (Technical)

H. V. SUBBA RAO
Member (Judicial)

/n/k/