

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SINGLE PRINCIPAL BENCH

ITEM No. 11
TA (IBC)- 10(PB)/2024

IN THE MATTER OF:

R. Krishnamoorthy

.... Petitioner/Applicant

Vs.

C P Engineering (India) Private Limited

.... Respondent

Order under Rule 16(d) of NCLT, 2016

Order delivered on 10.05.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Adv. Bijoy Kumar Pradhan, Adv. Madhusmita Bora
For the Respondent : Appearance not marked

ORDER

1. Prayer in this application reads as follows:
 - A. *Allow the present Transfer Application and transfer the CP(IB)/52(CHE)/2023 titled "R. Krishnamoorthy vs. M/s. CP Engineering (India) Pvt. Ltd." from National Company Law Tribunal, Chennai Bench-II to the Learned Court-I of National Company Law Tribunal, Chennai; and*
 - B. *Direct the office of Registry of the Hon'ble National Company Law Tribunal, Chennai to take appropriate steps for listing the matters; and*
 - C. *Pass any other such order/orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.*
2. Mr. Bijoy Kumar Pradhan, Ld. Counsel for the Applicant appears physically.
3. Mr. Ashlin Christo, Ld. Counsel for the Respondent appears through VC. He is the Counsel who has already appeared in the matter before Bench-II, NCLT, Chennai on 10.11.2023 and the following order has been passed:

"Ld. Representing Counsel Ms. K. Bharathi from the office of Ld. Counsel Mr. P. Elayaraj Kumar for the Petitioner. Ld. Representing

Counsel Mr. Ashlin Christo from the office of Ld. Counsel Mr. Rohan Rajsekaran for the Petitioner.

Counsel for the Respondent states that synopsis has been filed vide S.R.No.4149 dated 27.09.2023.

Counsels for both sides state that CP-37/2023 is pending before Court I of NCLT, Chennai Bench where the matter has been partly heard.

Since the related matter is before Court I, Petitioner is directed to file a necessary application in the Principal Bench for transferring this matter to Court I.

Post the petition for hearing on 21.12.2023.”

- 4.** This application is filed consequent to the directions passed by the Hon'ble Bench. Affidavit of service by the Applicant is also filed.
- 5.** As per the above order, CP(IB)/52(CHE)/2023 titled “Mr. R. Krishnamoorthy vs. M/s. CP Engineering (India) Pvt. Ltd” is pending before Bench-II, NCLT, Chennai. Similar case, CP(IB)/37(CHE)/2023 titled “Mr. R. Krishnamoorthy vs. M/s. Arjun Technologies (India) Limited” is pending before Bench-I, NCLT, Chennai and the same is part heard matter.
- 6.** It is in these circumstances that the Bench-II, NCLT, Chennai has directed at the request of parties for filing of this application.
- 7.** Accordingly, considering the above plea and the order of the Hon'ble Bench, this application **TA (IBC)- 10(PB)/2024** stands **allowed** transferring CP(IB)/52(CHE)/2023 from Bench-II, NCLT, Chennai to Bench-I, NCLT, Chennai.

Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT