

IN THE NATIONAL COMPANYLAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

(IB)-635(ND)/2019

IN THE MATTER OF:

M/s Saket Motors Pvt. Ltd.	APPLICANT / PETITIONER
Vs		
ABW Infrastructure Limited	RESPONDENT

SECTION:

Under Section 7 of Insolvency and Bankruptcy Code, 2016

Order delivered on 18.09.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

S. K. MOHAPATRA
HON'BLE MEMBER (TECHNICAL)

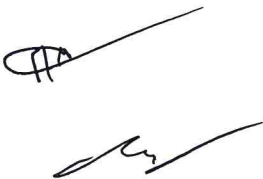
PRESENTS:

For the Applicant: Mr. Vishal Ganda, Mr. Aman Chaudhary, Adv,
For the Respondent: Mr. Harsh Sethi & Mr. Sarvapriya Makkar, Advs.
For Dove Infrastructure: Mr. Saurabh Kalia, Ms. Madhvi Khare, Advocates

JUDGEMENT

This is an application under Section 7 of Insolvency and Bankruptcy Code, 2016 filed by the M/s Saket Motors Pvt. Ltd. for initiation of Corporate Insolvency Resolution Process against M/s ABW Infrastructure Limited, the respondent Corporate Debtor.

It is seen that recently on 12.09.2019 another application filed under Section 7 of Insolvency and Bankruptcy Code, 2016 in the matter of Bipin Industries Private Limited Vs. M/s ABW Infrastructure Limited bearing IB-375/(PB)/2018 has since been admitted. As Corporate Insolvency Resolution Process has already



commenced against the respondent M/s ABW Infrastructure Limited, the present application for initiation of Corporate Insolvency Resolution Process against the self-same Corporate Debtor has become infructuous.

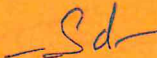
Accordingly, the present application is disposed of being not maintainable as CIR Process has already initiated against the respondent corporate debtor.

Leave, however, is granted to the applicant to prefer its claim before the Interim Resolution Professional Mr. Anand Chandra Swain, who shall consider the claim in accordance with Law.

Serve the copy of the order to the parties including the Interim Resolution Professional.



(M. M. KUMAR)
PRESIDENT



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)