

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

Item No.3 – IA 586 of 2022
In
CP(IB) 270 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

Kailash Devbuild (India) Pvt Ltd

.....Applicant

V/s

Inox Wind Infrastructure Services Ltd

.....Respondent

Order delivered on 14/07/2022

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)

Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Ms. Shaili Shah, Adv.

For the Respondent :

ORDER

IA 586 of 2022

Application is filed by the original operational creditor under Section 424 of the Companies Act. read with Rule 11 of the NCLT Rules, 2016 seeking to revive the main company application being CP (IB) 270 of 2019. Learned Counsel states that the said application was dismissed as non-maintainable by this Bench vide order dated 17.09.2020, which order was impugned before the Hon'ble NCLAT, and vide order dated 14.02.2022 the Hon'ble NCLAT set aside the order of dismissal, with the directions to this Adjudicating Authority to consider the application in accordance with law by reviving the main application filed under Section 9,IBC, 2016. The copy of order of this Bench, as well as the order of the Hon'ble NCLAT are annexed with the application.

Considering the submission made and documents on record.

Application is allowed, thereby CP (IB) 270 of 2019 is revived to its original member.

In the main matter, the copy of petition and reply are on record. Learned Counsel seeks and is granted two weeks time file rejoinder, with the copy in advance to the other side. Let copy of this order also served on the corporate debtor by the Learned Counsel for the applicant.

List for hearing on 18.08.2022.

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

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**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**