

NATIONAL COMPANY LAW TRIBUNAL  
COURT-V, MUMBAI BENCH

106. IA/3196/2024 C.P. (IB)/913(MB)2023

**IN THE MATTER OF**

Aventus Finance Private Limited  
Vs

... Petitioner

Acute Retail Infra Private Limited

... Respondent

U/s 7 of the Insolvency and Bankruptcy Code, 2016

**Order Delivered on 24.06.2024**

CORAM:

MS. REETA KOHLI  
MEMBER (J)

MS. MADHU SINHA  
MEMBER (T)

**Appearance through VC/Physical/Hybrid Mode:**

For the FC: Adv. Nausher Kohli (PH)

For the Applicant/CD: Adv. Malhar Zatakia (PH)

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**ORDER**

**IA/3196/2024:-** The prayer in the present IA is as under:-

- “a) This Hon'ble Tribunal may be pleased to recall its directions of 6th June, 2024 and deserve the matter from orders;*
- b) This Hon'ble Tribunal may be pleased to direct the Respondent herein to produce the correct authorisation.*
- c) Pending the hearing and final disposal of the present Application and till the defect in the Company Petition is cured, this Hon'ble Tribunal may be pleased not to pass any order in the captioned company petition.*

- d) Pending the hearing and final disposal of the present Application, the Hon'ble Tribunal may be pleased to pass urgent ad-interim and interim reliefs in terms of prayer clauses (a) to (c) above;*
- e) Pass any such order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case in the interest of justice."*

The Ld. Counsel for the applicant at the outset contends that this IA was filed prior to tendering of the Written Submissions by both the parties.

It is pertinent to mention that during the course of arguments one of the contentions of the Counsel for the Petitioner was that there was no appropriate Board Resolution placed on record. It deserves mention that after advancing the arguments, the Board Resolution was placed on record by the Respondent along with the Written Submissions. The counsel for the Applicant submits that now that the Board Resolution was tendered along with the Written Submissions, he does not wish to press the same objection any longer. In view of the fact that the objection on the part of the applicant was made good by placing on record the board resolution there is nothing left in the IA for consideration. The IA is disposed of for not having been pressed.

Sd/-  
MADHU SINHA  
Member (Technical)

Sd/-  
REETA KOHLI  
Member (Judicial)

/Avdhesh K Patel/