

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
09-07-2024 AT 10:30 AM**

**CP (IB) No. 249/7/HDB/2018
AND
IA (IBC) 936/2023 in CP (IB) No. 249/7/HDB/2018
u/s. 7 of IBC, 2016**

IN THE MATTER OF:

Power Finance Corporation Ltd

...Financial Creditor

AND

Krishna Godavari Power Utilities Ltd

...Corporate Debtor

C O R A M:-

**DR. VENKATA RAMAKRISHNA BADARINATH NANDULA, HON'BLE MEMBER (JUDICIAL)
SH. CHARAN SINGH, HON'BLE MEMBER (TECHNICAL)**

ORDER

IA (IBC) 936/2023

Learned Counsel Mr Y Suryanarayana, for applicant present physically.

Learned Counsel Ms Santhi Chandra, for respondent no.1 present through Video Conference.

Learned Counsel Ms Aishwarya, for Respondent No.2 present physically.

It is found that despite filing counter by the then standing counsel for the respondent vide the proceedings dated 10.08.2023, it has been observed that right to file counter has been forfeited for non-compliance of the direction to file counter.

Learned counsel for the applicant while retreating the same in his written submissions presented submissions as if there is no counter filed by the

respondents. However, since there is a counter already on record filed well before the order dated 10.08.2023, we are of the view that interest of justice require that the matter be re-opened, opportunity be given to the applicant to file additional written arguments and then pass appropriate orders.

Hence the following order is passed:

1. The proceedings dated 10.08.2023, is hereby recalled and it is now treated that counter of respondent has been filed.
2. Let the counsel for the applicant file additional written submissions if any may confine to the points raised in the counter within 10 days from today.

Let the court officer place the file before the bench for fixing the date for orders.

Sd/-
MEMBER (T)

Sd/-
MEMBER (J)