

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 1

C.P. (IB)/ 174(CH)2022

IN THE MATTER OF:

Gunocean Inc.

...Petitioner

Vs.

Arjun Mall Retail Holdings Pvt. Ltd

...Respondent

Under Section: 7, IBC 2016

Order delivered on 09.04.2024

CORAM:

SH. L. N. GUPTA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner : Mr. Gaurav Joshi, PCS
For the Respondent : None

ORDER

Ld. Counsel for the applicant is present today. No one is representing the corporate debtor despite repeated calls. Even on the last date of hearing i.e. 05.03.2024, a date was requested by Ld. proxy Counsel for the respondent-corporate debtor for complying with the order dated 31.01.2024, and it was made clear that no further opportunity will be granted. The said order is reproduced below:-

“A date is requested by Ld. Proxy Counsel for the respondent for complying with the order dated 31.01.2024. Let the same be done within one week, failing which arguments will be heard. No further opportunity will be granted. List the matter before the regular Bench on 09.04.2024”.

We observe today that neither the compliance of the order dated 31.01.2024 is on record nor anyone has represented the respondent-corporate debtor hence the respondent-corporate debtor is proceeded ex parte.

It is pointed out by Ld. Counsel for the Petitioner that the AFA of the proposed RP is valid up to 14.12.2022 when the petition was filed. Now it is valid till date. A short date is requested by Ld. Counsel for the petitioner for filing the updated AFA. The same be filed within three days. Ex-parte arguments Heard.

List on 15.04.2024.

Sd/-

(L. N. GUPTA)
MEMBER (T)

Preeti

Sd/-

(HARNAM SINGH THAKUR)
MEMBER (J)