

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT-III

ITEM No. 324
IA-149/2024, IA-169/2024

IN
IB-408(ND)/2022

IN THE MATTER OF:

M/s. Ram Ratan Jagati

.... Petitioner/Applicant

Vs.

Dharitrimaa Urja Pvt. Ltd.

.... Respondent

Order u/S. 9 of Insolvency & Bankruptcy Code (IBC), 2016.

Order delivered on 12.04.2024

CORAM:

SH. BACHU VENKAT BALARAM DAS
HON'BLE MEMBER (JUDICIAL)

SH. ATUL CHATURVEDI
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant :

For the Respondent :

ORDER

IA-149/2024

Ld. Counsel appears for the Applicant. No one has appeared on behalf of RoC & Income Tax Department despite due services of notice. No report has been filed by the said authorities.

We therefore, direct the RoC to appear physically on the next date of hearing with the report.

The Court Officer is directed to issue E-notice and send a copy of the today's order to RoC and Income Tax Department.

List the matter **on 07.05.2024.**

IA-169/2024

Ld. Counsel appearing for the Applicant has stated that the judgment passed by the Hon'ble Supreme Court of India in "Gluckrich Capital Pvt. Ltd. Vs. State of West Bengal & Ors. will not be applicable in a matter of under Section 43 of the Code.

Heard the submissions made by the Ld. Counsel appearing for the Applicant.

Issue notice to Respondent.

The Applicant is directed to serve notice by all modes and file proof and affidavit of service within one week.

Respondents are directed to file reply affidavit, if any, within one week after receipt of the notice.

List the matter **on 07.05.2024**.

-Sd-
(ATUL CHATURVEDI)
MEMBER (TECHNICAL)

-Sd-
(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)

Ajay