

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - I

ITEM No.13 – RST.A/10(AHM)2024
In
C.P.(IB)/235(AHM)2021

Proceedings under Section 9 IBC

IN THE MATTER OF:

RKD Construction Pvt Ltd
V/s
Sadbhav Engineering Ltd

.....Applicant

.....Respondent

Order delivered on 10/04/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant :Mr. Sidhant Dwibedi, Advocate a. w. Mr. Saurabh
Rachchh, Advocate
For the Respondent :Mr. Ravi Pahwa, Advocate

ORDER

RST.A/10(AHM)2024

This is an application filed by the Applicant under Rule 11 of the NCLT Rules, 2016 r. w. Section 60 (5) of the IB Code, 2016 for taking on record the affidavit of no dispute and for restoration of the Company Petition No. 235 of 2021 which was dismissed on 07.11.2023 against which an Appeal was filed before the Hon'ble NCLAT Company Appeal (AT) (Insolvency) No. 527 of 2024 which was allowed vide order dated 20.03.2024 whereby the order of this Tribunal dated 07.11.2023 was set aside on the ground in the event the affidavit is filed within two weeks.

The Adjudicating Authority shall proceed with the order above. Now the affidavit of no dispute has been filed with this application which is annexed at Annexure-C affirmed on 23.03.2024. Accordingly, C.P.(IB)/235(AHM)2021 is restored and accompanied affidavit of no dispute is taken on record.

Registry is directed to take steps for re-listing the restored CP.

Re-list on 10.05.2024.

-Sd-

SAMEER KAKAR
MEMBER (TECHNICAL)

-Sd-

SHAMMI KHAN
MEMBER (JUDICIAL)