

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

208. C.P. (IB)/1021(MB)2023

IN THE MATTER OF

Rmol Engineering And Offshore Limited

Vs

Budding Mercantile Company Private Limited

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

Order Delivered on 06.02.2024

CORAM:

MS. REETA KOHLI
MEMBER (J)

MS. MADHU SINHA
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Petitioner: Ranveer (VC)
For the Respondent: Adv. Mily Ghoshal (PH)

ORDER

The Ld. Counsel appearing for the Respondent submits that the present petition has been preferred by the Liquidator without having any authority under Section 33(5) of the IBC. The Counsel further submitted that, in fact the SCC has declined to grant permission to file the petition against the Corporate Debtor by more than 66% voting. In view of the same, the Ld. Counsel for the Respondent contended that the present petition is not maintainable.

The Ld. Counsel appearing for the Petitioner prays for short adjournment stating that the arguing counsel is not available today. In view of the request made, the matter is adjourned to **13.02.2024**.

Sd/-
MADHU SINHA
Member (Technical)

Sd/-
REETA KOHLI
Member (Judicial)

Shubham