

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Ins) No. 155 of 2017

IN THE MATTER OF:

M/s. MSP Paper Mill Private Limited

.. Appellant

Versus

Arjun Chemicals Pvt. Ltd.

.. Respondent

Present:

**For Appellant: Shri Kumarpal R. Chopra and Shri Karan Tarnar,
Advocates.**

For Respondent: Shri A.K. Mishra, Advocates

O R D E R

20.11.2017 The application for substitution having been allowed substituting Mr. Palanivel, Director as Appellant and as he has already filed Vakalatnama, no further objection should have been raised by the Registry.

From the records we find that the petition under Section 433(e)(f) of the Companies Act, 1956 which was preferred by the Respondent before Hon'ble Madras High Court was transferred pursuant to Central Government Notification dated 07.12.2016 read with notification dated 29.06.2017 and was treated to be an Application under Section 9 of the Insolvency & Bankruptcy Code, 2016 (hereinafter referred to as '**I&B Code**') in terms of Rule 5 of the Transfer Rule, as notified by the aforesaid Notification.

Learned Counsel for the Respondent will file an Additional Reply and state whether in terms of Rule-5 aforesaid, all informations other than the information already pleaded in the Petition under Section 433(e)(f) of the Companies Act, 1956, were brought to the notice of the Adjudicating Authority or not before admission of the application or not. The Respondent will also enclose the copy of the notice, if any, given under sub-Section (1) of Section 8 and objection, if any, received from the Corporate Debtor.

Post the matter on 4th December, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice A.I.S. Cheema]
Member (Judicial)

[Justice Bansi Lal Bhat]
Member (Judicial)

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