

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI
COMPANY APPEAL (AT)(INSOLVENCY) NO.214 OF 2017

IN THE MATTER OF:

Horseshoe Entertainment & Hospitality Pvt Ltd. Appellant

Vs

The Comedy Store Ltd. Respondents

Present:

For Appellant:-Dr.U.K. Chaudhary, Senior Advocate with Mr. Alishan Naqvee, Ms Rupal Bhatia, Mr. Mohd Kamran, Mr. Hianshu Vij, Advocates.

For Respondents: - Mr. Arun Kathpalia, Senior Advocate, Mr. Puneet Bindra, Mr. Amit Jansandekar, Mr. Dhiraj Mhetre, Mr. Samaksh Goyal, Advocates.

O R D E R

23.11.2017 - In this appeal one of the questions arises as to whether Board of Directors of a Corporate Company (Corporate Debtor) can take decision to apply under Section 10 of the Insolvency and Bankruptcy Code, 2016 for initiation of Corporate Insolvency Resolution Process against a company or such decision is to be taken by all the shareholders in a EOGM/AGM.

Parties have appeared. They may file additional affidavit enclosing a copy of the Article of Association and other enclosures in its favour within a week. In case the appellant also files such affidavit then no further rejoinder is to be filed.

Post the matter on 14th December, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member (Judicial)

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