

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 209 of 2017

IN THE MATTER OF:

D. Muthukumar

...Appellant

Versus

A. Premkumar & Anr.

...Respondents

Present:

For Appellant : Shri Goutham Shivshankar, Advocate

O R D E R

09.10.2017 Learned counsel for the appellant submits that there is nothing on record to suggest that the respondent followed the provisions of Rule 4(3) of the Insolvency and Bankruptcy Code (Application to the Adjudicating Authority) Rules, 2016. We find that the application under Section 433(e) of the Companies Act, 1956 was treated as application under Section 9 by the Adjudicating Authority and the same has been admitted on the basis of the earlier notice issued on 25th October, 2014. Let notice be issued on the respondents by Speed Post.

Requisites along with process fee, if not filed, be filed by 11th October, 2017. If the appellant provides *e-mail* address of the respondents, then let notice be also issued through e-mail.

Post the matter on 2nd November, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Balvinder Singh]
Member (Technical)

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