
(2022) 11 NCLT CK 0046
In the National Company Law Tribunal
Case No : C.P. (IB)/915(MB)2021

Banzai Estates Pvt Ltd

APPELLANT

Vs

Access Serviced Offices Pvt Ltd

RESPONDENT

Date of Decision : 01-11-2022

Acts Referred:

Insolvency and Bankruptcy Code, 2016 — Section 9

Citation : (2022) 11 NCLT CK 0046

Hon'ble Judges : Kishore Vemulapalli, Member (J); Manoj Kumar Dubey, Member (T)

Bench : Division Bench

Advocate : Sukanya Bhaumik

Final Decision : Dismissed

Judgement

The Court is convened through Video Conference.

1. No representation on behalf of the Operational Creditor. Ms. Sukanya Bhaumik, Ld. counsel for the Corporate Debtor present.
2. Counsel for the Corporate Debtor submits that the company petition was filed on 07/04/2021 claiming an amount of Rs.90,52,976 which is below the threshold limit as per the Notification issued by the Ministry of Corporate Affairs vide notification dated 24.03.2020.
3. In view of the above notification, this Bench on perusal of records noticed that the Company Petition was filed below the threshold limit as prescribed under the Code. Hence, this Bench is of the considered view that the Petition filed u/s 9 of the Code is not maintainable and the same is liable to be dismissed. However, the Petitioner is at liberty to approach any forum as per Law.
4. CP.(IB)/915(MB)2021 is dismissed with no costs.
5. Records be consigned to the record room.