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**(2022) 06 NCLT CK 0010**  
**In the National Company Law Tribunal**  
**Case No : CP (IB) No. 26/ALD/2021**

R.P. Chemicals

APPELLANT

Vs

M/s Ruksh Exim Pvt Ltd

RESPONDENT

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**Date of Decision :** 01-06-2022

**Acts Referred:**

Insolvency And Bankruptcy Code, 2016 — Section 9

**Citation :** (2022) 06 NCLT CK 0010

**Hon'ble Judges :** Rajasekhar V. K, Member (J); Virendra Kumar Gupta, Member (T)

**Bench :** Division Bench

**Advocate :** Yash Tandon, Vandeeep Nath, Suyash Agarwal

**Final Decision :** Disposed Of

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## Judgement

Ld. Counsel present on both sides.

1. In this matter, the amount to be in default is Rs. 42,92,444/- which is below the threshold limit of rupees one crore specified in Section 4 as amended on 24.03.2020. This application was filed before this Adjudicating Authority on 12.02.2021 which is after the date on which the threshold limit was revised to Rs. 1,00,00,000/- i.e. after 24.03.2020.

2. Therefore, in terms of the order dated 25.10.2021 in Company Appeal (AT) (Insolvency) No. 813 of 2021 passed by the Hon'ble NCLAT, this petition is not maintainable and is dismissed as such.

3. Liberty is granted to the Operational creditor to file appropriate application for revival of Company Petition in case the Civil Appeal No. 7032/2021 filed by Jumbo Paper Products Private Limited vs. Hansraj Agrofresh Private Limited before the Hon'ble Supreme Court against the order dated 25.10.2021 passed by the Hon'ble NCLAT, succeeds.