

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
COURT – 2

ITEM No.228- Rest.Appli/1(AHM)2026
in
C.P.(IB)/396(AHM)2025

Proceedings under Section 9 IBC

IN THE MATTER OF:

Smartpaddle Technology Pvt Ltd
V/s
Vax Enterprise Pvt Ltd

.....Applicant

.....Respondent

Order delivered on: 06/07/2026

Coram:

Mrs. Chitra Hankare, Hon'ble Member(J)
Dr. Velamur G Venkata Chalapathy, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Bhash Mankad, Adv.
For the Respondent :

ORDER

Rest.Appli/1(AHM)2026

Ld. counsel for the applicant appeared and submitted that he has complied with the earlier order passed by this Hon'ble Tribunal and has provided the NOC to the earlier advocate by way of an additional affidavit. He has also not provided the proof of sending notice to the respondent or to the earlier counsel who appeared for applicant in this matter.

Further, it appears from the submissions and documents filed that the applicant has not approved by the board resolution the appointment of new counsel. The applicant through board resolution in October 2025 had approved only the earlier counsel to appear in the matter in CP IB 396 of 2025. The application was dismissed for non prosecution (Default) on 25.11.2025 as no one was appearing for the applicant on many dates of hearing. We observe that the restoration sought by applicant does

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not have the approval of the applicant Operational Creditor through approval of board resolution, hence this application is dismissed as not maintainable.

In view of the above Rest.Appli/1(AHM)2026 stands disposed of as dismissed.

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DR. V. G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

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CHITRA HANKARE
MEMBER (JUDICIAL)