

IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – 1, AHMEDABAD

ITEM No.2- Rest.App/11(AHM)2026
In
C.P.(IB)/78(AHM)2026

Proceedings under Section 9 IBC

IN THE MATTER OF:

Chemical Corp Private Limited
V/s
Shiva Dyestuff Private Limited

.....Applicant

.....Respondent

Order delivered on: 29/06/2026

C O R A M:

MR. SHAMMI KHAN, HON'BLE MEMBER (J)
MR. SANJEEV SHARMA, HON'BLE MEMBER (T)

P R E S E N T:

For the Applicant : Mr. Jaimin Dave, Adv. a. w.
: Ms. Hirva Dave, Adv.
For the Respondent :

ORDER
(Hybrid Mode)

Rest.App/11(AHM)2026

1. The present Restoration Application has been filed on 22.06.2026 under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 read with Rule 11 of the National Company Law Tribunal Rules, 2016 seeking restoration of C.P. (IB) No. 78 of 2026.
2. Learned Counsel for the Applicant submitted that C.P. (IB) No. 78 of 2026 was dismissed as infructuous vide order dated 24.03.2026 on account of admission of C.P. (IB) No. 351 of 2025 against the Respondent/Corporate Debtor. Liberty was granted to the Applicant to seek restoration of the petition in the event the admission order was recalled or set aside.
3. It is submitted that thereafter, vide order dated 27.04.2026 passed in I.A. No. 536 of 2026 in C.P. (IB) No. 351 of 2025, the Corporate Insolvency Resolution Process was terminated pursuant to withdrawal under Section 12A of the Insolvency and Bankruptcy Code, 2016. Hence, restoration of C.P. (IB) No. 78 of 2026 has been prayed for.

4. Heard Learned Counsel for the Applicant and perused the material available on record.
5. Since C.P.(IB)/78(AHM)2026 was dismissed as infructuous with liberty to seek restoration upon recall or termination of the Corporate Insolvency Resolution Process in C.P. (IB) No. 351 of 2025, and the said proceedings have since been terminated vide order dated 27.04.2026, the present application deserves to be allowed.
6. Accordingly, **Rest. App./11(AHM)2026** is allowed. C.P. (IB) No. 78 of 2026 is restored to its original file and number. The Restoration Application stands **disposed of**.

C.P.(IB)/78(AHM)2026

7. Issue notice to the Respondent/CD, returnable on the next date of hearing. The Applicant/OC shall collect the notice from the Registry and serve the Respondent/Corporate Debtor along with a copy of this order through Registered AD Post/Speed Post/Dasti and on its registered e-mail ID available on the MCA portal forthwith. Affidavit of service shall be filed before the next date of hearing.
8. The Respondent/CD may file its reply, if any, within 07 days from the date of receipt of notice. Rejoinder, if any, be filed with by next date thereafter.
9. Registry is directed to list **C.P.(IB)/78(AHM)2026** before the Bench for further proceedings on **07.07.2026**.

SD

SANJEEV SHARMA
MEMBER (TECHNICAL)

→ SD →

SHAMMI KHAN
MEMBER (JUDICIAL)