

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 11
(IB)-1493(PB)/2018

IN THE MATTER OF:

Enkay (India) Rubber Co. Pvt. Ltd. Applicant/petitioner
v.	
Sumeru Processors Pvt. Ltd. Respondent

Order under Section 7 of Insolvency & Bankruptcy Code (Liq.)

Order delivered on 26.08.2020

CORAM:

SH. B.S.V. PRAKASH KUMAR
HON'BLE ACTG. PRESIDENT

SH. HEMANT KUMAR SARANGI
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Liquidator	Saurabh Kalia, Adv. with Mr. Rajiv Malik, Liquidator
For the HDFC	Mr. Gurmeet Bindra, Adv.

ORDER

On having the Liquidator submitted that CA-2085/2019 filed u/s 19(2) of IBC seeking co-operation from the Directors was reserved for pronouncement on 10.10.2019 by the earlier Bench and the same not being pronounced, the RP counsel has sought for re-opening of the said application, accordingly CA-2085/2019 is hereby reopened for fresh hearing. List it on 06.10.2020 with a direction to the Liquidator to issue notice to the non applicants to appear and argue the case on the next date of hearing.

In CA-2548/2019, the Respondents are hereby directed to file their replies within 15 days hereof and rejoinder, if any, within one week thereof. List this application for hearing on 06.10.2020.

IA-3037/2020 filed for urgent hearing of IA-1246/2020 is hereby **disposed of** by disposing of IA-1246/2020.

In IA-1246/2020, one of the Financial Creditor namely HDFC Bank has sought for setting aside the rejection of release of the vehicle under Section 52

of the Insolvency and Bankruptcy Code, 2016 on the ground of delay in filing application.

Over which the Liquidator has stated that if delay is condoned, he has no objection to consider it in accordance with law. Accordingly, the delay is hereby condoned. And IA 1246/2020 is hereby **disposed of** directing the Liquidator to consider the request of the HDFC Bank in accordance with law.

Sd/-

(B.S.V PRAKASH KUMAR)
ACTG. PRESIDENT

Sd/-

(HEMANT KUMAR SARANGI)
MEMBER (TECHNICAL)

26.08.2020
Ritu Sharma