

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

ITEM No. 139
(IB)-397(PB)/2018

IN THE MATTER OF:

Bank of India Applicant/petitioner

v.

Basic India Ltd. Respondent

Order under Section 7 of Insolvency & Bankruptcy Code

Order delivered on 21.10.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

S.K. MOHAPATRA
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the applicant

Ms. Medha Tandon, Adv. with Ms. Seema Jangid, CS for RP

Ms. Rakshita Goyal, Adv. for Ms. Manisha Agarwal Narain, Adv. for HSWC

Ms. Pratiksha Sharma, Mr. Ankit Acharya, Advs.

For the respondent

Mr. Rishi Kapoor, Mr. Abhay Kaushik, Mr. Akhil Shankar, Advs.

ORDER

CA-1155(PB)/2019:-

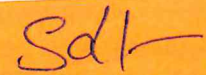
Adjourned to 07.11.2019.

CA-1216(PB)/2019:-

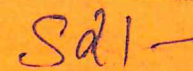
Ms. Pratiksha Sharma, learned counsel for the applicant states that she has instructions to apply for withdrawal of the present application.

We order accordingly.

Dismissed as withdrawn.



(M.M.KUMAR)
PRESIDENT



(S.K. MOHAPATRA)
MEMBER (TECHNICAL)

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

CA-2206(PB)/2019 in CP
No. IB-397(PB)/2018

IN THE MATTER OF:

Mr. Athar Zia

..... Applicant

IN THE MATTER OF:

Bank of India

.... Applicant/petitioner

v.

Basic India Ltd.

.... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 21.10.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

S.K. MOHAPATRA
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the applicant

Mr. Rishi Kapoor, Mr. Abhay Kaushik, Mr. Akhil Shankar, Advs.

For the respondent

Ms. Medha Tandon, Adv. with Ms. Seema Jangid, CS for RP

ORDER

CA-2206(PB)/2019:-

On 24.07.2019, we have decided CA-713(PB)/2019 which was filed by the RP and in para 13 we have issued the following directions:

3. *Non applicant-respondent 1 to 3 namely Mr. Athar Zia, Mrs. Sheeza Zia & Mr. Mohammad Zulfiqar Ullah Siddiqui shall not leave the country without taking prior permission of this Tribunal and the direction issued in that regard dated 23.04.2019 (Supra) are made absolute.*



4. *The Resolution Professional – applicant is granted liberty to move an appropriate application, if so advised, to the passport authorities under Section 10 or Section 10A of the Passport Act, 1967 for impounding the passport of the non applicant-respondent No. 1 to 3. The rejection of the prayer in that regard by virtue of this order shall not be construed any bar on the right of the Resolution Professional-applicant to move the passport authorities.”*

2. In pursuance of the first direction issued, the present application has been filed by Mr. Athar Zia seeking permission of the Tribunal to travel to Kuwait for a period of 2 weeks commencing from 22.10.2019.

3. Notice of the application has been issued and a copy thereof has also been served to the counsel for the RP.

4. We have heard the arguments and specifically asked learned counsel for the RP as to whether in pursuance of liberty granted any application before the Passport Authority under Section 10 or 10A of the Passport Act, 1967 for impounding the passport of the applicant Mr. Athar Zia has been filed or not.

5. Learned counsel for the RP states that no such application has been filed so far. It shows that there could not be any serious



objection against the applicant to visit Kuwait particularly when other members of his family are staying back in this country. Had there been any serious apprehension, the RP could have availed the liberty granted vide direction No. 2. Accordingly, we are inclined to accept the prayer made in the application.

6. As a sequel to the above discussion, this application is allowed and disposed of.

7. A copy of this order be given dasti today itself.

Sd/-

**(M.M.KUMAR)
PRESIDENT**

Sd/-

**(S.K. MOHAPATRA
MEMBER (TECHNICAL)**

21.10.2019
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