

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**PRINCIPAL BENCH**

**ITEM No. 121**  
**(IB)-16(PB)/2017**

**IN THE MATTER OF:**

**Anil Mahindroo & Anr.**

.... **APPLICANT / PETITIONER**

**Vs**

**Earth Iconoic Infrastructures Pvt. Ltd.**

....

**RESPONDENT**

**SECTION:**

**Under Section 7 of Insolvency & Bankruptcy Code, 2016**

**Order delivered on 19.03.2019**

**Coram:**

**CHIEF JUSTICE (RTD.) M.M. KUMAR**  
**Hon'ble President**

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

**PRESENT:-**

For the applicant:-

Mr. Varun Sharma, Adv. for RP

For the Respondent(s):-

Mr. Prashant Jain, Adv. for R-2 to 5

Mr. Arpit Dwivedi, Adv. for R6.

**ORDER**

**CA-1252(PB)/2018:-**

In the reply filed by the ex.-directors - respondents 2 to 5, the stand taken in para 6 is that all the relevant record and documents were seized by the Economic Offence Wing of Delhi Police (EOW) or are inside the office of the corporate debtor which is now closed as possession has been taken over by the landlord due to non-payment of rent. It has also been clarified that currently there are no employees in the company. The ex.-directors - respondent 2 to 5, therefore, have informed that they have no access to provide information sought by the RP.

The RP should have filed appropriate application before the EOW of Delhi Police or should have approached the landlord who have taken over the possession. Let the RP take effective steps in that

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direction. The RP shall file appropriate affidavit after taking the effective steps, the matter be listed for 12.04.2019.

The issue with regard to the statutory auditor shall also be taken up on the adjourned date.

List on 12.04.2019.

— Sel —

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

— Sel —

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

19.03.2019  
Aarti Makker