

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 122
(IB)-911(PB)/2018

IN THE MATTER OF:

Dena Bank Applicant/petitioner

Vs.

MVL Ltd. Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 25.09.2018

Coram:

CHIEF JUSTICE (Rtd.) M.M.KUMAR

Hon'ble President

S.K. MOHAPATRA

Hon'ble Member (T)

PRESENTS:

For the Applicant/petitioner: Ms. Shivani Kadam, Mr. Sarfaraz Karim, Adv.

For the Respondent: Mr. Nikhil Mathur, Advocate

ORDER

Learned counsel for the respondent has pointed out that after the appointment of official liquidator as provisional liquidator vide order dated 05.07.2018, the application for recalling the aforesaid order has been filed and which is pending for 23.10.2018.

The above facts would show that there is a statutory bar under Section 11(d) of IBC to proceed with the instant petition as the provisional liquidator has already been appointed by Hon'ble Delhi High Court. Accordingly, the present petition is not maintainable at this stage.

Dismissed as not maintainable at this stage.

Sd/-

(M.M. KUMAR)
PRESIDENT

Sd/-

(S.K. MOHAPATRA)
(MEMBER TECHNICAL)