

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-418(ND)/2018

CORAM:

**PRESENT: DR. V. K. SUBBURAJ
HON'BLE MEMBER(T)**

**MS. INA MALHOTRA
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW
DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON
22.04.2019**

**NAME OF THE COMPANY: M/s Alloys & Metals (INDIA) V/s. M/s.
Hindustan Paper Corporation Ltd.**

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
--------------	-------------	--------------------	-----------------------	------------------

For the Petitioner:	Mr. Aditya Swarup for Applicant
----------------------------	---------------------------------

For the Respondent:	Mr. Vivek Sibal and Mr. Rahul Sharma, Advocates for RP
----------------------------	---

	Ms. Bani Dikshit and Mr. Ravi Prakash, Advocates for R1 (Ministry of Heavy Industries)
--	---

	Mr. Premtosh Mishra and Mr. Mayank Tripathi for R2
--	---

ORDER

3 applications have been filed by the various employees praying for release of the amount provided for disbursal of salaries of employees of the Hindustan Paper Corporation Ltd. as per the notification of July, 2018. Vide the said notification provision has been made by the Government to meet the additional requirements towards the specific purpose. Though the provision has been made by Government, but no step has been taken pursuant to the same. Some of the employees who are present in court have submitted that they have not been paid their wages for the last 26 months.

The facts and circumstances of the case makes it expedient that the urgent step is taken by the government to act under the aforesaid notification. No

cogent explanation has been given as to why there is no action by the Government in this respect. Ld. Counsel appearing for the Ministry of Heavy Industries and Public Enterprises prays for one further opportunity to seek necessary instructions in this respect.

Copy of the order be given Dasti to the Ld. Counsel for the concerned Ministry for immediate necessary action. To come up on 2nd May, 2019.

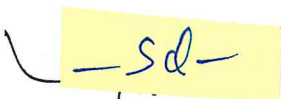
CA 442/2019 has been filed by the RP under Section 33 of the Code. However, further orders in this respect stand deferred till next date.

CA 484/2019 has been filed by a proposed resolution applicant Dr. B. R. Shetty. Since there has been no decision on the proposal and in the light of an application for liquidation having been filed, prayed that the Bank Guarantee for RS. 5 Crores furnished along with the expression of interest be not invoked.

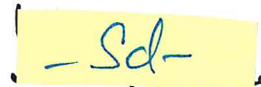
Notice of this application is being accepted by the Ld. Counsel for the RP. Ld. Counsel for the RP is unable to ascertain whether the same has been invoked or not. It is therefore directed that a Status Quo in respect of the same, as of today, be maintained.

CA 438/2019 has been filed on behalf of the Government of Kerala. Notice of this application is accepted by the Ld. Counsel appearing for the RP. Reply, if any, be filed.

To come up on 2nd May, 2019.



(V. K. Subburaj)
Member (T)



(Ina Malhotra)
Member (J)