

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

**Item No. 106**  
**(IB)-721(PB)/2018**

**IN THE MATTER OF:**

Nikhil Mehta & Sons (HUF) & Ors.

.... Applicants

v.

MVL Ltd.

.... Respondent

**Order under Section 7**

**Order delivered on 26.09.2018**

**Coram:**

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

**Sh. S. K. MOHAPATRA,**  
**Hon'ble Member (Technical)**

**PRESENTS:**

For the Applicant:

Mr. Varun Kathuria, Advocate

For the Respondent:

Mr. Nikhil Mathur, Adv.


**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 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.

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

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