

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

Item No. 113
(IB)-597(PB)/2017

IN THE MATTER OF:

Oriental Bank of Commerce

..... Petitioners/Applicant

v.

M/s. Sonear Industries Ltd. & Anr.

..... Respondents

SECTION : Under Section 7 of the Insolvency & Bankruptcy Code, CIRP

Order delivered on 22.05.2019

Coram:

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

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

PRESENT:

For the respondent

Mr. Akshay Goel, Adv. for Liquidator

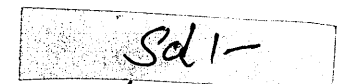
For the applicant:

Mr. Abhishek Anand, Adv.

ORDER

CA-737(PB)/2019:-

This is an application where the prayer made for issuance of directions to the liquidator to upload the Form DIR-12 of one of the director namely Mr. R. K Tuli who is stated to have resigned from the board. In the order dated 10.04.2019 passed in CA No. 293(PB)/2019 in CP No. (IB)-597(PB)/2017 has been passed by us stating that our order would deem to be a notice of discharge to the employees and the workmen of the Corporate Debtor as per the provisions of Section 33(7) of the Code, 2016. Once the aforesaid position is stated in the statutory provisions of the Code, the prayer made by the applicant Mr. Tuli cannot be entertained and our order be deemed to be an order of notice of discharge. The application is not maintainable and the same is dismissed.



(M. M. KUMAR)
PRESIDENT



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)