

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

COARM:

(IB)-1071(ND)2018

**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
06.06.2019**

**NAME OF THE COMPANY: M/s. State Bank Of India V/s. M/s. Shri
Shyam Ji Ahrico Exports Pvt. Ltd.**

SECTION OF THE COMPANIES ACT: 7 of IBC, 2016

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

**Present for the Petitioner: Mr. Ilam Paridi and Mr. Vishal Bharti Gupta,
Advocates for RP
Mr. Sanjay Kumar Aggarwal, RP**

Present for the Respondent: Mr. Bharat Grotra, Advocate

ORDER

Despite directions, no cooperation has been extended by the Ex-Directors, neither are they present in court. It appears that the bailable warrants have not been executed. It is a fit case to secure the presence of the Ex-Directors through coercive means as they are evading the process of law.

Issue non-bailable warrants against the Ex-Directors as well as the statutory auditor through the office of the Sr. Superintendent of Police on furnishing of the full details. The progress report placed by the RP is taken on record giving the details of the Ex-Directors as well as statutory auditor.

CA 714/2019 has been filed by the RP under Section 12(2) of the Code. It is prayed that the CIR period be extended by another 90 days. The said application is duly supported by the affidavit of the RP and is also annexed with the minutes of the meeting of the COC held on 20th May, 2019. It is

submitted that the said resolution was taken as item No. 9 on Agenda. It was unanimously resolved to seek extension of CIR period by 100% voting rights.

The RP present in court has apprised this Court that pursuant to invitation of expression of interest, no proposal was received. The COC has now decided to invite other expressions of interest vide publication.

Keeping in view the submissions made and the decision taken by the COC, it would be expedient to grant the prayer made in the said application. This application has been allowed. The CIR period of 180 days expires on 30th June, 2019. The period would stand extended by another 90 days. CA 714/2019 stands disposed off.

No further orders are called for.



(V.K. Subburaj)
Member (T)



(Ina Malhotra)
Member (J)