

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-702/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 04.07.2019.**

**NAME OF THE COMPANY: Super Print Services V/s. M/s. Xalta Food and
Beverages Pvt.Ltd.**

SECTION OF THE COMPANIES ACT: U/s 9 of IBC Code, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
Present:		Mr. Kshitij Sharda, Mr. Brijesh Kumar Tamber, Mr. Avirup Benjamin, Mr. Naveen Kumar Jain (RP), Advocates for the Petitioner		
		Mr. Abhishek Anand, Mr. Tushar Tyagi, Mr. Anant A. Pavgi, Mr. Mayank Mishra, Mr. Ashish Joshi, Mr. Anjan Chakraborty, Mr. Akshay Kapoor, Advocates for the Respondent		

ORDER

CA 827/2019 has been filed by the Resolution Applicant and the Suspended Board of Directors. The grievance of the applicant is that vide order dated 03.06.2019, the matter had been renotified for further consideration to 8th July, 2019. Prior to the said date it appears that the case had been taken on 14.06.2019 agitating non reimbursement of the CIR cost by two of the major financial creditors. It was also mentioned that CA 731/2019 had been filed praying for liquidation. Though liquidation was not confirmed for want of the consent of a liquidator, it is now being agitated by the applicant that despite a resolution plan having been proposed which was to be considered and disposed of on 8th July, 2019, due notice was issued to them for liquidation. Keeping in

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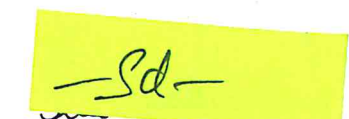
view the facts and circumstances of the case, the applicant has some merit in his submission. It would be in the interest of justice to ensure that the pending application is first disposed off and then liquidation be directed.

Notice of this application as well as CA 731/2019 is accepted by the parties concerned. Reply by the non-applicants be filed. Another application has been filed by the lessor of the premises in which the plant and machinery of the Corporate Debtor is installed. It is prayed that the RP may file an affidavit submitting that how much money has been received from their Members of the COC and how the same has been disbursed.

To come up on 8th July, 2019 the date already fixed.

Keeping in view the pendency of the application, the matter is being renotified on 18th July, 2019 and the date of 8th July, 2019 is hereby called.


(Dr. V.K. Subburaj)
Member (T)


(Ina Malhotra)
Member (J)