

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-1071(ND)2018

CORAM:

**PRESENT: MR. L. N. GUPTA
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 05.11.2019.

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
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Present:	Mr. Sanjay Kumar Aggarwal, RP			
	Mr. S. K. Kukreja, AGM, SBI			
	Mr. Vishnu Kumar, Advocate for RP			

ORDER

CA 1370/2019 has been filed under Section 33(2) of the IBC praying for liquidation of the assets of the Corporate Debtor. Ld. RP is present in court. He has apprised this Bench that despite 2 publications made inviting expression of interest, none had been received. In the absence of any resolution plan and the CIR period having expired on 30th September 2019, the COC which comprised of only one Financial Creditor, i.e. State Bank of India, had passed the resolution approving the liquidation of the assets of the Corporate Debtor.

The said resolution appears as Item No. 10 on the Agenda. As per the decision taken by the COC and in the facts and circumstances of the case, there is no legal impediment in directing the liquidation of the assets of the Corporate Debtor. The COC has appointed Mr. Sanjay Kumar Aggrawal, the present RP

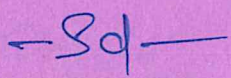
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as the Liquidator in this case. His consent in Form AA is on record. Accordingly, we hereby confirm the appointment of Mr. Sanjay Kumar Aggrawal as the Liquidator in this case. Let steps be taken in accordance with the law and interim report be filed periodically.

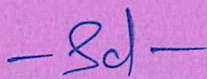
Application under Section 19(2) of the Code is pending in which Non-Bailable warrants has been issued. The same have not been executed as yet. Ld. RP submits that the Ex-Directors have their residence in Karnal. He accordingly prays that the Non-Bailable Warrants be executed through the SSP, Karnal.

Accordingly, fresh Non-Bailable Warrants be issued by the Registry to be executed through concerned police station on the Liquidator furnishing full particulars.

Be listed as and when further action in this case is taken.



(L. N. Gupta)
Member (T)



(Ina Malhotra)
Member (J)