

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

**Item No. 206
IB-1782/ND/2019**

IN THE MATTER OF:

M/s. Sameta Metal Pro. Pvt. Ltd.

...PETITIONER

Vs.

M/s. Win-Holt India Pvt. Ltd.

...RESPONDENT

Section

Under Section 9 of IBC

**Order delivered on 17.08.2021
(Virtual Hearing)**

Coram:

DR. P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)

SHRI HEMANT KUMAR SARANGI, HON'BLE MEMBER (TECHNICAL)

For the Petitioner/Operational-creditor :

For the Respondent/Corporate-debtor :

For the IRP

:Ms. Sabhya Jain, Advocate.

ORDER

IA No. 5312 of 2020

This Tribunal has noted the contents of the affidavit. It is submitted that the CoC has perused the audited balance sheet of the corporate debtor for the financial year 2018-19. The assets side of the balance sheet only showing security deposit to the tune of Rs. 25,000/- and as income tax refund of Rs. 4,014/- only. The corporate debtor does not have any fixed assets and is also non operational. It is also stated that corporate debtor have no employees as per information received. It is not commercially viable to appoint a valuer and transaction auditor. The CoC in the first meeting held on 20th February, 2020 after examining the audited financial statement agreed and passed the

(Anjula)

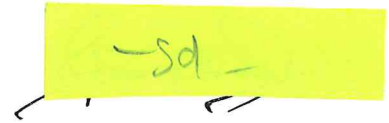


resolution for early dissolution under Section 33(2) of IBC, 2016. This Tribunal finds it proper to allow the application for early dissolution under Rule 11 of NCLT Rules, 2016 read with Section 60(5) of IB Code, 2016.

Order in this matter is **reserved**.

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(Hemant Kumar Sarangi)
Member (T)

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(P.S.N. Prasad)
Member (J)