

NATIONAL COMPANY LAW TRIBUNAL,  
COURT- V, MUMBAI BENCH

2) IA /2237/MB /2020  
IN  
CP (IB) 2238/MB/2019

CORAM:

SHRI CHANDRA BHAN SINGH  
Member (Technical)

SMT. SUCHITRA KANUPARTHI  
Member (Judicial)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL  
COMPANY LAW TRIBUNAL ON **04.06.2021**

NAME OF THE PARTIES: Ms. Pooja Piyush Kabra

Vs.

Noble Publicity Service Private Limited

UNDER SECTION 33(1) (b) (i) to (iii) r/w Sec 33(3) OF THE  
INSOLVENCY AND BANKRUPTCY ACT, 2016.

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**ORDER**

1. IA 2237 of 2020 is regarding liquidation of the Corporate Debtor company. The Counsel for the Applicant present.
2. The Bench notes that CIRP in this matter had commenced on 04.11.2019. No Resolution application received in the matter. In the 4<sup>th</sup> CoC meeting held on 22.09.2020, it was unanimously decided to liquidate the company and appoint resolution professional, Ms. Pooja Piyush Kabra as the liquidator of the company. The fees to be paid to the liquidator was also decided in the same COC meeting which comes to Rs. 1,11,800/-.
3. The Bench notes that professional's payment when working as RP has not been made though the same has been ratified by the CoC and the total payment comes to Rs. 6,68,658/-. The Bench directs that payment be made to the RP for her services rendered.

4. The Bench also notes that the minutes of the CoC meeting was subsequently passed by 100% voting on 22.10.2020.
5. In view of the above, the Bench allows IA 2237 of 2020 for liquidation of the Corporate Debtor company.
6. In view of the resolution of the COC, the Bench hereby approves the liquidation of Corporate Debtor as in the following manner:
  - a. That the Corporate Debtor be liquidated in the manner as laid down in the Chapter III of the Code by issuing Public Notice stating that the Corporate Debtor is in liquidation with a direction to the Liquidator to send this order to the ROC under which this Company has been registered.
  - b. That, Ms. Pooja Piyush Kabra, herein is hereby appointed as Liquidator as provided under Section 34(1) of the Code.
  - c. That all the powers of the Board of Directors, key managerial persons, the partners of the Corporate Debtor hereafter ceased to exist. All these powers henceforth vest with the Liquidator.
  - d. That the personnel of the Corporate Debtor are directed to extend all co-operation to the Liquidator as required by him in managing the liquidation process of the Corporate Debtor.
  - e. That on having liquidation process initiated, subject to Section 52 of the Code, no suit or other legal proceeding shall be instituted by or against the Corporate Debtor save and except the liberty to the liquidator to institute suit or other legal proceeding on behalf of the Corporate Debtor with prior approval of this Adjudication Authority.
  - f. That this liquidation order shall be deemed to be notice of discharge to the officers, employees and workmen of the Corporate Debtor except to the extent of the business of the Corporate Debtor continued during the liquidation process by the Liquidator.

7. Accordingly, this Application is hereby **allowed**. The Liquidator appointed in this matter is directed to initiate liquidation process as envisaged under Chapter III of the Code by following the liquidation process given in the Insolvency & Bankruptcy Board of India (Liquidation Process) Regulations, 2016 and file all compliance and progress reports hereinafter before the concern Bench i.e. National Company Law Tribunal, Mumbai Bench (Court - V).

Sd/-

CHANDRA BHAN SINGH  
Member (Technical)

sd/-

SUCHITRA KANUPARTHI  
Member (Judicial)

04.06.2021  
/n/