

ATTENDENCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 15.07.2021 AT 10:30 AM THROUGH VIDEO CONFERENCING.

NAME OF THE COMPANY : UMA SHANKER SONI & ORS V/S ANJU AGARWAL (RP OF SHREE BHAWANI PAPER MILLS LIMITED) & ORS

SECTION : 60(5) IBC R/W RULE 11 OF NCLT RULES, 2016

PRESENT : HON'BLE MR. JUSTICE (RETD.) RAJESH DAYAL KHARE, MEMBER (J)

COUNSEL FOR APPLICANT/ RP : AMAN KUMAR DWIVEDI

COUNSEL FOR RESPONDENT : ABHISHEK ANAND

The matter was taken through Video Conferencing.

Heard Sh. Aman Kumar Dwivedi, Ld. Counsel for the Applicant, Sh. Abhishek Anand, Ld. Counsel for the RP and Tanveer Oberoi, Ld. Counsel for the CoC through Video Conferencing.

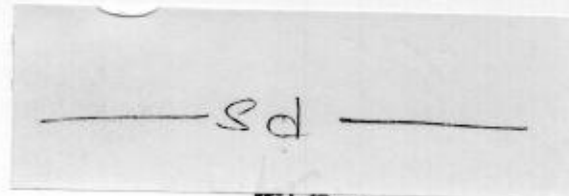
In this matter, Liquidation order has already been passed by this Tribunal vide order dated 7th July, 2021, in view of the same it is contended by Sh. Aman Kumar Dwivedi that the present application become infructuous and the same may be dismissed and now he will file the claim before the Liquidator. However, he states that till the time the Liquidation order was passed, none of the Respondents had filed their reply but after the Liquidation order was passed on 15.07.2021, they are filing the reply which shows their intent.

He further prays that the Liquidator may be directed to consider the claim of the workers ^{on} a priority basis, when the claims ^{are} considered.

Sh. Abhishek Anand, Ld. Counsel for the RP states that in view of the Section 33 of IBC, the claim of the workers is to be considered on ^{the} priority basis, therefore the law itself mandates ^{the same}.

In view of the above, the present Application is dismissed as ^{having} becomes infructuous.

No order as to cost.



JUSTICE RAJESH DAYAL KHARE
(MEMBER JUDICIAL)

Dated : 15.07.2021