

NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH

ITEM NO : 1

IA NO. 222/2020 IN
CP NO. (IB) 223/ALD/2018

ATTENDANCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2020 AT 11:30 AM THROUGH VIDEO CONFERENCING.

NAME OF THE COMPANY : RAFI AHMAD & ORS. V/S SUPRIYO KUMAR CHAUDHARY (LIQUIDATOR OF JVL AGRO INDUSTRIES LTD.)

SECTION : 60(5) IBC

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

COUNSEL FOR APPLICANT : SH. K.N. RAI ALONGWITH SH. VIJAY SKUMAR RAI, ADV.

COUNSEL FOR RESPONDENT : SH. YASH TANDON, ADV.

IA NO. 222/2020 IN CP NO. (IB) 223/ALD/2018

The matter was taken up today through Video Conferencing at 11:30 AM.

Heard Sh. K.N. Rai alongwith Sh. Vijay Kumar Rai, Advocates for the Applicant and Sh. Yash Tandon Advocate for the Respondent through video conferencing.

The present IA No. 222/2020 in CP No.(IB) 223/ALD/2018 has been filed by the Applicant under Section 60(5) of the Insolvency & Backruptcy Code, 2016 read with Rule 11 of NCLT Rules, 2016 praying for a direction to the Liquidator to exclude the amount due to be paid to the Applicants towards Provident Fund, Pension Fund and Gratuity Fund from the waterfall mechanism as envisaged under Section 53 of the IBC Code, 2016 and further prayed to pay the retiral dues of the Applicants by treating it not to be a part of the liquidation estate.

Learned counsel for the liquidator may file reply within four weeks.

Accordingly, put up on 3rd November, 2020 before the Regular Court/ Video Conferencing.

Dated : 29.09.2020


JUSTICE RAJESH DAYAL KHARE
(MEMBER JUDICIAL)