

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

C.P.(IB). No. 245/KB/2017

Present: 1. Hon'ble Member (J) Shri Vijai Pratap Singh
2. Hon'ble Member (J) Shri Jinan K.R

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 19th February 2018, 10.30 A.M

Name of the Company	Shree Shyam Inorganic Pvt. Ltd.-Versus-RHD Enterprise Pvt. Ltd.		
Under Section	9 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1)	MR. SHUVASIS SENGUPTA, Adv.	} operational creditor.	
2)	MR. SOUMYAJIT MISHRA, Adv.		
3)	MR. BALAKO SEN, Adv.		

1.	Mr A. K. Upadhyay	} Corporate Debtor	A. K. Upadhyay
2.	Mr. D. Saha Adv.		

1.	Mr. AVISHER DAS	} Advocates for the Resolution Professional	A. Das 19/02/2018
	MR. ARUN KUMAR SINGH		

ORDER

Ld. Counsel on behalf of the Resolution Professional (RP) as well as Ld. Counsel for the operational creditor and the corporate debtor is present.

Ld. Counsel appearing on behalf of the Resolution Professional has filed the progress report, which may be taken on record. It appears from the report that Committee

of Creditors (CoC) with 100% vote share has recommended to initiate liquidation proceedings in the matter.

180 days' time for completion of Corporate Insolvency Resolution Process (CIRP) has already been expired on 16/02/2018 and there is no progress in the matter because of non-availability of books of account as well as due to non-cooperation by the corporate debtor RP could not finalise Resolution Plan. There is no prayer for extension of time limit under the provisions of Section 33 of the Insolvency and Bankruptcy Code, 2016. As such the company will ultimately go into liquidation.

Reserved for order.

Sd

(Jinan K.R.)
Member (J)

Sd

(V.P.Singh)
Member (J)