

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. No. 16 / 2017

**Present: Hon'ble Member (J) Shri Vijai Pratap Singh
Hon'ble Member (T) Shri S.Vijayaraghavan**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 06th February, 2017, 10.00 A.M

Name of the Company		Sree Equipment Finance Ltd -Versus- Sree Metaliks Ltd.	
Under Section		7	I.L.C
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1.	VINOD KOTHARI, PCS *	}	APPLICANT	Nitu Poddar
2.	NITU PODDAR, PCS	}		6.2.2017

* VINOD KUMAR KOTHARI as the Interim Resolution Professional

1. SAUNAK SENGUPTA - Respondent Vh
Sengupta

ORDER

The petition was called out. Ms. Nitu Poddar, Pr. CS of the applicant's, Mr. Vinod Kothari, Interim Resolution Professional and Mr. Saunak Sengupta, Advocate appearing on behalf of the respondent company appeared in the matter. Mr. Sengupta, the Ld. Advocate of the respondent company made a request that he will file memorandum of appearance by tomorrow and prayed for some time.

In this case proceeding has been initiated for initiating Corporate Insolvency Resolution Process and Shri Vinod Kothari has been appointed as Interim Resolution Professional. Shri Kothari has informed that respondent company is not cooperating with him. The advocate, who appeared on behalf of the respondents, submitted that he will give full cooperation to Interim Resolution Professional, Shri Kothari.

It is to be made clear that once petition under Section 7 of the Insolvency and Bankruptcy Code, 2016 has been admitted and Corporate Insolvency Resolution Process has been initiated then proceeding cannot be stayed. Therefore, Interim Resolution Professional is being directed to take action as per law under the Insolvency and Bankruptcy Code and if the respondent company is not cooperating then he can proceed as per the prescribed procedure given under the Code.

List the matter on 17/02/2016 for further orders.

Sd/-

(S. Vijayaraghavan)
Member (T)

Sd/-

(Vijai Pratap Singh)
Member (J)