

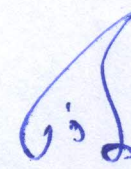
**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P(IB) No. 373/KB/2017
CA(IB) No. 559/KB/2017

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

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 19th December 2017, 10.30 A.M

| Name of the Company | State Bank of India -Vs- Adhunik Metaliks Ltd. | | |
|---------------------|--|------------------------|---------------------|
| Under Section | 7 IBC | | |
| Sl. No. | Name & Designation of Authorized Representative (IN CAPITAL LETTERS) | Appearing on behalf of | Signature with date |

| | | | | |
|----|--|---|--------|--|
| 1. | DHIREN SHARMA, ADV | } | for RP |  19/12/2017 |
| 2. | HARSH DEB , ADV SIDHARTHA SHARMA | | | |
| 3. | NAHRATA BASU, ADV | | | |
| 4. | DEBASIS KAR Asstt Commissioner. Rourkela Commissionerate. | | | |

ORDER

Ld. Counsel for the Resolution Professional (RP) and the Ld. Counsel for the financial creditor are present.

CA(IB) no. 559/KB/2017 in CP(IB) No. 373/KB/2017 has been filed with a prayer for staying the operation of the order dated 31/08/2017 passed by the respondent no. 2 and restrain their men, agents, servants from taking any further steps and/or coercive steps pursuant to the order dated 31/08/2017 till the moratorium period is completed.

Shri Debasis Kar, Asstt. Commissioner, Central Excise Rourkela Commissionerate appearing on behalf of respondent

no. 2 prayed that time may be given for filing reply. Prayer is allowed. Reply may be filed within 7 days with a copy in advance to the opposite party. Thereafter rejoinder, if any, may be filed within 7 days with a copy in advance to the opposite party.

It is to be made clear that moratorium period is effective from 03/08/2017 and during the moratorium period except which has been notified u/s. 14(3) of the Insolvency and Bankruptcy Code, 2016 by the Central Government in consultation with any financial sector regulator all other proceedings are stayed. It seems in disregard to comply with the order passed by the Adjudicating Authority passed the order dated 31/08/2017. It is further made clear that proceedings under I & B Code, 2016 has over-riding effect u/s. 238 over any other law for time being in force.

List it on 18/01/2018.

Certified true copy of this order may be issued immediately, upon compliance of all requisite formalities.

Sd

(Jinan K.R.)
Member (J)

Sd

(V.P.Singh)
Member (J)