

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

**CA No. 04/2018
IN
CP (IB) NO. 08/Chd/CHD/2017
(Admitted matter)**

In the matter of :

M/s. Super Multicolor Printers (P) Ltd.Applicant/Corporate Debtor

And

In the matter of:

Rajiv Khurana, Resolution Professional,
Super Multicolor Printers (P) Ltd. ..Applicant-Resolution Professional

Present: Mr. Arora Vishwas Kumar, Advocate for the applicant-Resolution Professional.
Mr. Rajiv Khurana, Resolution Professional in person.
Mr. Kamal Satija, Advocate for respondent Mr. Sunil Guglani, Promoter-Director of Corporate Debtor.

CA No. 04/2018

CP (IB) NO. 08/Chd/CHD/2017 was admitted by this Tribunal and Mr. Rajiv Khurana was appointed as Interim Resolution Professional. It is stated that period for completion of resolution process which was extended for another 90 days, has expired on 02.01.2018. It has been brought to the notice of the Tribunal that the Promoter-Director of Corporate Debtor Mr. Sunil Guglani filed CWP No. 30072/2017 titled as **Sunil Guglani Vs. Union of India and Ors.** before the Hon'ble Punjab and Haryana High Court and the Hon'ble High Court has issued notice of motion for 25.01.2018. In the meanwhile, NCLT, Chandigarh Bench has been directed not to pass the final order. Instant CA has been filed to seek further directions from this Tribunal in view of the fact that extended period of 90 days has expired.

Notice is required to be issued to the Promoter-Director of the company Mr. Sunil Guglani who has filed Writ Petition aforesaid in the Hon'ble Punjab and Haryana High Court. In view of the above, learned counsel for the Resolution Professional prays that Mr. Sunil Guglani be made necessary respondent. Registry is directed to do the needful in the Memo of Parties in this CA. Mr. Kamal Satija, Advocate through whom CWP No. 30072/2017 has been filed in the Hon'ble Punjab and Haryana High Court accepts notice and submits that the respondent does not intend to file any reply to the instant Company Application as the order passed by the Hon'ble High Court has to be complied with.

The learned counsel for the respondent (Mr. Sunil Guglani) submits that since the final order cannot be passed in view of the interim direction of the Hon'ble High Court, the order of liquidation cannot also be passed by this Tribunal despite the expiry of period of 270 days of the commencement of the Insolvency Resolution Process.

The matter be listed for 15.02.2018 and as not disputed by the learned counsel for the parties, the resolution process shall continue and the Resolution Professional shall continue to function as such and keep sending regular progress reports. Copy of this order be communicated to the Resolution Professional.

CA No. 04/2018 stands disposed of.

Sd/-
(Justice R.P.Nagrath)
Member (Judicial)

January 09, 2018
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