

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

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CORAM:

**PRESENT: DR. V.K. SUBBURAJ
HON'BLE MEMBER(T)**

**MS. INA MALHOTRA
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW
DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON
10.06.2019.**

**NAME OF THE COMPANY: M/s. Seth Thakurdas Khinvraj Rathi V/s. M/s.
Cals Refineries Ltd.**

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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Present: Mr. Vinod Chaurasia, Advocate for RP

Mr. Rakesh Jain, RP

Ms. Srishti Thukral, Advocate for the Operational Creditor

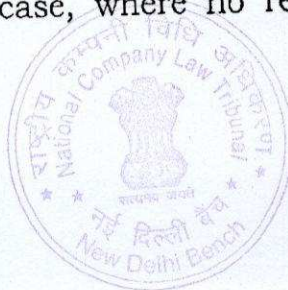
Ms. Babita Kataria, Advocate for IT Dept.

ORDER

CA 734/2019 has been filed pressing for disposal of CA 465/2018 placing on record the 6th status report as on 21st August, 2018. This application is annexed with the minutes of the 7th COC meeting held on 13.08.2018 wherein it was resolved that the in the absence of any resolution application, the RP should file for liquidation. This resolution was approved by 99.647% of the voting power of the members of the COC.

The said resolution is listed as Item No. 5 at pg. no. 76 of the CA. In view of the facts and circumstances of the case, where no resolution plan was

(Sapna)




received, there is no legal impediment in allowing the prayer made in this application. This application is therefore allowed.

It was also resolved by the major constituents of the COC, namely, the Income Tax that the Liquidator be appointed by this Bench from the panel of Liquidators as maintained by the IBBI.

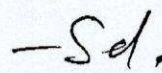
This Bench hereby appoints Ms. Sarita Joshi as the Liquidator in this case. Notice be issued to her for getting her consent for appointment as a liquidator in this case.

Ld. Counsel for the Income Tax Dept, a member of the COC is directed to ensure that the competent authority approves the professional fees of the RP in this case as per resolution passed in the last meeting.

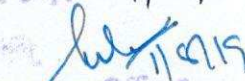
The grievances of the RP be redressed by the COC within 1 week.


(Dr. V.K. Subburaj)
Member (T)




(Ina Malhotra)
Member (J)

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DD/DR/AR/Court Officer
National Company Law Tribunal
New Delhi


सहायक पंजीयक
ASSISTANT REGISTRAR
राष्ट्रीय कम्पनी विधि अधिकरण
NATIONAL COMPANY LAW TRIBUNAL
C.G.O. COMPLEX, NEW DELHI-110003

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