

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**CHANDIGARH (COURT – II)**  
***(Through Hybrid Mode)***

**Item No. 114**

**IA(I.B.C)/393(CH)2021**

**IA No. 486/2021**

**In**

**CP (IB) No. 339/Chd/Hry/2019**

**(Admitted)**

**IN THE MATTER OF**

**Ultratreat Industrial Service, through  
its proprietor, Mr. Vishwadeep Azad.**

**...Petitioner-Operational Creditor**

**Versus**

**Karan Processors Pvt. Ltd.**

**...Respondent-Corporate Debtor**

**Under Section: 9, 54(1), 42, IBC 2016**

**Order delivered on 01.05.2024**

**CORAM:**

**SHRI. SATYA RANJAN PRASAD,  
HON'BLE MEMBER (T)**

**SHRI. P.S.N. PRASAD,  
HON'BLE MEMBER (J)**

**PRESENT:**

**For the Liquidator** : Mr. Saurabh Jain with Mr. Amar Nath,  
Advocates.

**For the Petitioner in** : Mr. Piyush Bansal, Advocate.  
**IA No. 486/2021**

**ORDER**

**IA(I.B.C)/393(CH)2021**

This application posted after two weeks. List on 22.05.2024.

**IA No. 486/2021**

Heard the submissions made by the learned counsel for the liquidator as well as the counsel for the Excise and Taxation Department, Haryana. The applicant has sought for quashing the communication/decision dated 03.03.2021 communicated by the liquidator to the applicant and also condone the delay by the appellant-department in submitting the claim with

May 01, 2024  
Mukta

the respondent-liquidator. It further sought direction to the respondent-liquidator to consider the claim of the appellant-department on merits and finally to issue such other further directions which are deemed fit in the matter.

The Hon'ble NCLAT in **Company Appeal (AT/INS) No. 221/2023 and IA No. 795/2023, 796/2023** in the matter of Amar Nath (Liquidator for Karan Processors Pvt. Ltd. – in liquidation) appellant versus Excise and Taxation Commissioner has passed a detailed order dated 11.01.2024, the contents of the order are self-explanatory. Since, the claim was filed after distribution made by the liquidator, the liquidator has expressed his inability to consider the claim of the Excise and Taxation Department, Haryana. Having regard to the fact that the liquidator is not left with any funds to honour the claim of the applicant. The question of condoning the delay of the appellant-department in submitting the claim will not arise. Further, the liquidator's communication has revealed the state of affairs and stage of liquidation. Therefore, there is no need for quashing the decision of the liquidator dated 03.03.2021. The present application, IA No. 486/2021 stands dismissed.

Sd/-  
**(SATYA RANJAN PRASAD)**  
**HON'BLE MEMBER (T)**

Sd/-  
**(DR. P.S.N. PRASAD)**  
**HON'BLE MEMBER (J)**