

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-209
(IB)-1158(ND)/2018

IN THE MATTER OF:

M/s. Modern Credit Pvt. Ltd.
Vs.
M/s. Dee Ess-Buhin Pvt. Ltd.

....Applicant

....Respondent

SECTION

Under Section 7 of IBC, 2016

Order delivered on 03.09.2019

CORAM:

**MS. INA MALHOTRA,
HON'BLE MEMBER (JUDICIAL)**

**MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant : Mr. Sushant Chauhan, Adv.
For the Respondent : Mr. Vivek Malik and Mr. Kartikya Jain

ORDER

The applicant in C.A. No.739 /2019 is aggrieved by the rejection of the claim by the IRP. On due notice to the Resolution Professional, it is submitted that upon going through the documents provided, ^{the} claim has now been admitted. Mr.Sushant Chauhan, Ld. Counsel for the applicant submits that as the grievance has been redressed, prayer is not pressed any further. This C.A. stands disposed off.

The Ld. RP has also filed C.A.921/2019 invoking provision section 33(2) and 34(4) of the code. It is submitted that 180 days of CIR period have already expired. No resolution plan was received. In view of the same, the CoC has approved the resolution for liquidating the assets of the CD. The said resolution which was approved unanimously by all Members present in the CoC and constitute 85.8% of the voting share has been annexed alongwith this application and appears as Item No.10 on the Agenda.

It is further submitted that the RP is not willing to continue as liquidator. Accordingly we appoint Mr. Brijender Singh Deswal, IP Registration Number

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IBBI/IPA-003/IP-N00002/2016-17/10021, Email ID - brijender@deswal.com, State-New Delhi as the Liquidator in this case from the panel of Insolvency Professionals approved by the IBBI. Consent of the Liquidator be procured by the RP. Subject to the consent being received, order of the liquidation shall be confirmed. Re-notify this case for further consideration on 16.09.2019.



(SUMITA PURKAYASTHA)
MEMBER (T)



(INA MALHOTRA)
MEMBER (J)

SLM