

DIVISION BENCH

ITEM NO.124

NATIONAL COMPANY LAW TRIBUNAL

ALLAHABAD BENCH

PRAYAGRAJ

IA No.419/2022, IA No.259/2023 & IA No.227/2024

IN CP (IB) No.354/ALD/2018

CORAM:

- 1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 3rd July, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	EMBEE SOFTWARE PVT LTD V/S SPARTAINFOTECH SOLUTIONS PVT LTD
UNDER SECTION	9 IBC (IN LIQUIDATION)

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Ms. Karuna Sharma, Adv.

*: For the Res. in IA No.419/2022
& Applicant in IA No.259/2023*

Sh. Deep Bisht, Adv.

: For the Liquidator

ORDER

IA No.259/2023

- 1.** Ld. Counsel representing the liquidator states that there are no assets in the present Corporate Debtor and the only member of the SCC comprises of the Operational Creditor himself, who initiated the petition under Section 9 of the Code.
- 2.** According to him, there is no meeting of the SCC taking place as the Operational Creditor is not cooperating to come for meeting, therefore, it is not possible for RP to come to conclusion whether proceeding U/s 54 of IBC, 2016 for dissolution of the Corporate Debtor itself has to be started or not. He however, seeks some time to move an appropriate application in this respect.

-Sd-

-Sd-

3. Let the matter to come up for further hearing on 9th August, 2024.

IA No.419/2022

1. This application has been filed under Section 66 of the Code. The same be also put up alongwith IA No.259/2023 on the same date.

IA No.227/2024

1. This is the 1st Progress report filed by the liquidator for the period from 23.11.2023 to 31.12.2023. The same is taken on record, subject to just exceptions.

2. Accordingly, IA No.227/2024 stands disposed off.

3. Ld. Counsel representing the liquidator also seeks condonation of delay in filing the first progress report. In view of the averments made in the application, the same is allowed.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

3rd July, 2024

Bipul Kumar Tiwari
(Stenographer)