

DIVISION BENCH

ITEM NO.3

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

IA NO.355/2024 IN CP (IB) No.223/ALD/2018

CORAM:

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

Date of Order: 23rd July, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	STANDARD CHARTERED BANK V/S M/S JVL AGRO INDUSTRIES LTD
UNDER SECTION	7 IBC (IN LIQUIDATION)

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Yash Tandon, Adv.

: For the Applicant/ Liquidator

ORDER

IA NO.355/2024

Ld. Counsel representing the Applicant/ Liquidator is present physically.

- 1.** This application has been filed seeking setting aside of the order dated 06.03.2024 passed by the respondent authorities directing for payment of the alleged liabilities for the period from April, 2018 till September, 2020. Prior to the issuance of the impugned order, a notice was also issued on 27.12.2023 U/s 73(1) of the Central GST Act, 2017.
- 2.** The Ld. Counsel representing the Liquidator states that the impugned order is not tenable in view of the fact that the CIRP was initiated on 25.07.2018 and the part of the liability has arisen even prior to the pre-CIRP and some liability is stated to have arisen after the CIRP order was passed, and the company went into liquidation in terms of an order dated 19.08.2020. According to him, no claim has been lodged by the respondents ever either during the CIRP period or even when the company went into the liquidation in terms of the aforesaid order as the said order was passed after completion of liquidation process.

-Sd-

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-Sd-

3. Let notices be issued to the non-applicant/ respondents, returnable within a period of two weeks and file affidavit of service within a week.
4. After receipt of notice, the reply be filed by the non-applicant/ respondents within a period of two weeks, by serving an advance copy to the counsel opposite.
5. Let the matter be adjourned for further hearing on 28th August, 2024.
6. Meanwhile, no coercive steps would be taken arising out of the said impugned order dated 06.03.2024.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

23rd July, 2024

Kavya Prakash Srivastava
(Stenographer)