

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
SPECIAL BENCH
COURT - 1

ITEM No.8- IA/1095(AHM) 2024
In
CP(IB) 453 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

Panda Water Tech Pvt Ltd
V/s
Rudrasiva Infracon Pvt Ltd

.....Applicant

.....Respondent

Order delivered on: 24/07/2024

Coram:

Mr. Praveen Gupta, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Tirth Nayak, Advocate
For the Respondent :

ORDER
(Hybrid Mode)

IA/1095(AHM) 2024

This is an application filed by the Liquidator seeking the following prayers:

- A. This Hon'ble Tribunal may be pleased to admit the present Application;*
- B. This Hon'ble Tribunal may be pleased to direct the Respondent to co-operate with the Applicant in the Liquidation Process of the Corporate Debtor;*
- C. This Hon'ble Tribunal may be pleased to direct the Respondent to cast votes in respect of the Resolutions proposed in the 3rd SCC meeting dated 13/06/2024 of the SCC;*
- D. This Hon'ble Tribunal may be pleased to direct the Respondent to make contribution to the Liquidation Account of the Corporate Debtor in terms of the Chart at Annexure - E, alongwith interest, if any;*
- E. This Hon'ble Tribunal may be pleased to grant costs to the Applicant for the present Application and / or impose cost on the Respondent;*

F. This Hon'ble Tribunal be pleased to extend the liquidation period for the liquidation of the Corporate Debtor from 19/06/2024 for a period of 12 months;

G. This Hon'ble Tribunal may be pleased to pass any other and further Order as this Hon'ble Tribunal may deem fit in the interest of justice.

Learned Counsel, Mr. Trith Nayak, appears on behalf of the applicant and states that the SCC members did not vote on resolutions that were put to vote at the meeting dated 13.06.2024. The draft resolution is appended on page No.57 to 59.

Upon perusal, it is seen that the e-voting results have not been appended along with the application by the Learned Liquidator. Upon being pointed out, Mr. Tirth Nayak, requested some more time to place on record the e-voting results with respect to the resolutions put to vote.

Learned Counsel seeks and is granted one week's time to file the e-voting result by way of an additional affidavit.

Re-list for hearing on 13.08.2024.

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**SAMEER KAKAR
MEMBER (TECHNICAL)**

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**PRAVEEN GUPTA
MEMBER (JUDICIAL)**