

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

Item No. 47

IA Nos. 308/2021, 1036/2022,
794/2022, 795/2022, 1244/2022,
21/2021, 1035/2022, 534/2023,
538/2023

in
CP(IB) No. 302/Chd/Hry/2019
(Admitted Matter)

Under Section 9, 66 & 43 IBC
2016 IBC 2016
R 11 & 154 NCLT
Regulation 10, IBBI 2016

In the matter of:-

Calzini Fashions Ltd.

...Petitioner/Operational Creditor

Vs

Shristi Plywood Pvt. Ltd

...Respondent/Corporate Debtor

Present :

Mr. G.S. Sarin, PCS for the liquidator.

Ms. Divya Sharma, Advocate for Kotak Mahindra Bank.

Mr. Ashok Juneja, Advocate for the applicant-liquidator.

Mr. Naresh Kumar Goel, Liquidator in person.

Mr. Jagdeep Singh Rana, Advocate for respondent in IA No. 308/2021.

Mr. Vinod Arora, Senior Auditor in person.

Ms. Aakriti Mittal, Advocate for respondent No. 3-Regilane Finvest Ltd.
in IA No. 1244/2022.

Mr. Nahush Jain, Advocate for the applicant-liquidator in IA Nos.
21/2021, 308/2021, 1036/2022, 1035/2022, 794/2022, 795/2022 &
1244/2022.

IA No. 1244/2022

Affidavit of service filed by diary No. 01943/1 dated 17.01.2023 is taken on record. There are four respondents in this application. None has appeared for the remaining respondents except for respondent No. 3. The respondents are given one last opportunity to file their reply within two weeks failing which

they will be proceeded *ex parte*. The learned liquidator is directed to file a short note within two weeks. List on 13.04.2023.

IA Nos. 308/2021, 794/2022, 795/2022 & 1035/2022

IA No. 308/2021 is an application filed under Section 19(2) of the Code and the relevant reports are filed by IA No. 1035/2022. IA Nos. 794/2022 and 795/2022 are applications filed under Section 66 and 43 of the Code respectively.

Compliance affidavit, filed in IA No. 308/2021 by diary No. 00484/2 dated 24.02.2023, in IA No. 794/2022 filed by diary No. 01498/1 dated 17.01.2023, in IA No. 795/2022 filed by diary No. 01499/01 dated 17.01.2023, are taken on record along with short note on behalf of the applicant/liquidator in IA No. 795 by 2022 and IA No. 794/2022 filed by diary No. 01499/2 dated 24.02.2023 are also taken on record. List on 13.04.2023.

IA Nos. 21/2021 & 1036/2022

IA No. 21/2021 is an application filed under Section 19(2) of the Code and relevant reports are filed by IA No. 1036/2022.

It is stated by learned counsel for the petitioner/applicant that he was directed to trace out the whereabouts of the respondents, but their address could not be traced out. In these circumstances, let non-bailable warrants of arrest, be issued against Ex-directors, Mr. Ram Chandra Kajaria and Mr. Hare Krishna Kajaria, addressed to the Deputy Commissioner of Police-Headquarters, Near Nehru Stadium Sohna Chowk, Gurgaon Haryana-122001 and copy of the same be also sent to the SSP concerned for monitoring of these non-bailable warrants. If these directors are not arrested and warrants

are unexecuted then, arresting officer should be present before this Bench on next date of hearing with his report so that further proceedings can be taken.

It is stated by auditor, Mr. Vinod Arora that he has made compliance of all the instructions issued by ICAI in the matter of audit of these companies and prepared and submitted the report accordingly. Therefore, he need not come present on the next date of hearing. A reference copy be made to ICAI regarding the same and let the case be listed on 13.04.2023.

IA No. 534/2023

Heard. Issue notice of this application to the respondent. The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within one week.

Reply be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite. List on 13.04.2023.

IA No. 538/2023

This application has been filed for placing on record the second Progress Report for the period from 01.10.2022 to 31.12.2022. The same is taken on record subject to just exceptions. Thus, IA No. 538/2023 is disposed

of accordingly.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

Sd/-
(Harnam Singh Thakur)
Member (Judicial)

February 28, 2023
VN