

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT – IV

Item No. 106

New IA/2812/ND/2023 in IB/1112/ND/2018

IN THE MATTER OF:

Knight Riders Sports Pvt. Ltd.	...	Applicant
Versus		
Global Fragrances Pvt. Ltd.	...	Respondent

Order under Section 9 of IBC, 2016.

Order delivered on 19.05.2023

CORAM:

MR. P.S.N. PRASAD,
HON'BLE MEMBER (JUDICIAL)
DR. BINOD KUMAR SINHA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant	: Mr. Somesh Chaudhary, Mr. PBA Srinivasan, Ms. Prerana Sabharwal, Ms. Pooja, Advs.
For the Liquidator	: Mr. R. K. Gupta,

ORDER

New IA/2812/ND/2023

This is an application filed under Section 60(5) of Insolvency & Bankruptcy Code, 2016 read with Rule 11 of NCLT Rules, 2016 seeking directions against the Liquidator to defend the litigation against the Corporate Debtor pending before the Hon'ble High Court of Delhi. This application is filed along with the supporting affidavit. Heard the submissions made by the Learned Counsel for the suspended Director as well as Learned Counsel for the Liquidator. Learned Counsel for the Liquidator has pointed out that the fact about the liquidation process has never been mentioned before or brought to the notice of Hon'ble High Court of Delhi. The fact is also clearly discerned from the orders passed by Hon'ble High Court of Delhi. Therefore, the Counsel for the applicant may direct the applicant to apprise Hon'ble High Court of Delhi about commencement of liquidation proceedings in the matter and also comply the order passed by Hon'ble High Court of Delhi, more particularly, the order dated 06.04.2023. Since Liquidator is now aware of the proceedings, hereafter the Liquidator may appear before the Hon'ble High Court of Delhi and take necessary steps to defend the interest of the Corporate Debtor only. The Liquidator need not respond to any directions given to respondent No. 2 before the proceedings pending in Hon'ble High Court of Delhi. Dasti of this Order is allowed.

Sd/-

DR. BINOD KUMAR SINHA
SINHAMEMBER (TECHNICAL)

Mukesh

Sd/-

P.S.N. PRASAD
MEMBER (JUDICIAL)

