

**IN THE NATIONAL COMPANY LAW TRIBUNAL,  
NEW DELHI COURT III**

**Item No. 101**

New Liquidation A-13/2024

In

IB-102(ND)/2022

**IN THE MATTER OF:**

M/s. Shimping Technology Pvt. Ltd.

**.....APPLICANT/PETITIONER**

**Vs**

M/s Foxdom Technology Pvt. Ltd

**.....RESPONDENT**

**SECTION**

**U/s 7 of IBC, 2016**

**Order delivered on 18.04.2024**

**CORAM:**

**SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)**

**SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the RP : Mr. Gautam Snghal, Mr. Rajat Chaudhary, Advocates.

For the Respondent :

**HYBRID HEARING (PHYSICAL & VC)**

**ORDER**

**New Liquidation A-13/2024:-**

This application has been filed by the Resolution Professional seeking to initiate Liquidation Process of the Corporate Debtor-Company on the ground that no Resolution Plans were received. Mr. Gautam Singhal, Learned Counsel appearing for the Resolution Professional has submitted that there are no assets of the Company. Further, an application with respect to attachment by the Enforcement Director and another application with respect to the payment of CIRP cost to the Resolution Professional are pending adjudication.

Having regard to the facts that the Company has no assets which can be put into liquidation, we are of the prima facie view that it would be appropriate if the Company is put to dissolution instead of liquidation. We, therefore, issue notice to RoC and IBBI and call for a report. We, further, issue notice to the CoC Members on the question of payment of CIRP cost. The Applicant shall take steps for service of

notice and file proof and affidavit of service within one week. Reply shall be filed within one week thereafter.

List the matter on **09.05.2024**.

Sd/-

**(ATUL CHATURVEDI)**  
**MEMBER (TECHNICAL)**

Sd/-

**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**