

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

**Item No. 301**

IA-208/2023

In

IB-900(ND)/2020

**IN THE MATTER OF:**

P.R rolling Mills Pvt Ltd

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

Vs.

Hema Engineering Industries Ltd

.....**RESPONDENT**

**SECTION**

**U/s 9 of IBC, 2016**

**Order delivered on 17.01.2023**

**CORAM:**

**SHRI ATUL CHATURVEDI  
MEMBER (TECHNICAL)**

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

**PRESENT:**

For the Liquidator : Mr. Vishal Ganda, Advocate.

For the Applicant : Mr. Nitesh Jain, Advocate.

**ORDER**

**IA-208/2023:-**

This is an application filed by the Applicant (M/s Marquee Digital Services Pvt. Ltd.)/Successful bidder/auction purchaser of plant and machinery including inventories at Dharuhera Unit – II at 69<sup>th</sup> KM, Delhi – Jaipur Highway, Dharuhera, Rewari – 123106 (Haryana).

The Applicant has prayed for directing the Liquidator to take necessary steps including assistance of local police/administration, to remove the ex-employee of the Corporate Debtor who are stopping, giving dharna, not allowing the Applicant to remove the plant and machinery from the site. It is submitted that in the e-auction sale notice dated 20.09.2022, the applicant participated in the bidding process and was declared as the successful bidder. The Applicant is required to pay an amount of Rs. 11,45 crores along with GST within a period of 90 days as stipulated under Regulation 33 read with Schedule 1 of IBBI (Liquidation Process) Regulations, 2016.

Vide order dated 13.01.2023, the Tribunal recorded the submissions of Learned Counsel appearing for the Applicant that “on or before 17.01.2023, the auction

purchaser would deposit an amount of Rs. 6 crores so as to reach total payment of 8.86 crore out of 11.45 crores.” In compliance with the said order, the Applicant has stated to have deposited a sum of Rs. 5,72,05,000/- yesterday. This fact is not disputed by the Liquidator.

Learned Counsel appearing for the Applicant states that the time stipulated under Regulation 33 may be extended and direction be given to the Liquidator to take necessary steps to remove the alleged ex-workers from the disputed site. In the facts and circumstances of the case, we therefore deem it appropriate to direct the Applicant to take necessary steps with the concerned police authorities to remove the alleged ex-workers from the site within two weeks. We also direct the local police authorities to extend cooperation and assistance to the Liquidator in this regard. We further extend the time for depositing the balance amount of Rs. 2,86,25,000/- and direct the Applicant to make the payment within three days after removal of obstructions and file a compliance report with this Tribunal within three days thereafter.

Mr. Vishal Ganda, Learned Counsel appearing for the Liquidator submits that the Applicant should be liable to pay interest for the balance amount to be deposited by him. This issue with regard to the interest shall be considered on the next date of hearing.

The Applicant is directed to serve a copy of this order to the local police authorities for taking necessary action.

List the matter on **06.02.2023**.

-SD-

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

-SD-

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