

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

ITEM No.409

**IA/1985/ND/2022, IA/1861/ND/2022, IA/4707/ND/2021,
IA/31/ND/2021, Company Appeal /13/ND/2022 IN
IB/923/ND/2020**

IN THE MATTER OF:

Ankur Enterprises	...	Applicant
Versus		
Pantel Technologies Private Limited	...	Respondent

Order under Section 9 of IBC 2016.

Order delivered on 10.03.2023

Coram:

**Mr. ASHOK KUMAR BHARDWAJ,
HON'BLE MEMBER (JUDICIAL)**

**DR. BINOD KUMAR SINHA,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For Applicant No.13 in CA No.13/22 : Ms. Vartika Mittal, CS
For Respondent No.2 in IA 1861/22 : Ms. Vartika Mittal, CS
For Respondent No.13 in IA 4707/21 : Mr. Aditya Gaur, Adv.
For Respondent No.32 in IA 4707/21 : Ms. Vartika Mittal, CS
For the Liquidator : Mr. Harish Taneja, CS with
Mr. Ravi CS

ORDER

Company Appeal/13/ND/2022

The Ld. proxy Counsel for the Applicant and the Ld. Counsel for Respondent have jointly sought an adjournment. Therefore, let this matter be fixed for hearing on **17.03.2023**.

IA/31/ND/2021

The prayers made in the IA read as under: -

- a) *“To allow the present application*
- b) *To pass an order directing to the Respondents cooperate with the Applicant Resolution Professional in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016 and to provide complete custody and control of the management of Corporate Debtor and provide the information and documents sought by the Applicant which has also been provided here under:*

- i. *Duly certified copies (attested by both suspended directors) of Statement of assets and liabilities as on the date of initiation of Corporate Insolvency against the Corporate Debtor.*
- ii. *Details of last board resolution/minutes of the meeting of the Corporate Debtor;*
- iii. *Details of related parties of Corporate Debtor, its promoters and its directors along with their email Ids, Addresses and contact numbers;*
- iv. *Details of all payments and receipts of last two years of the Corporate Debtor (attested by both suspended directions);*
- v. *Complete books of accounts of Corporate Debtor;*
- vi. *Statutory records and registers including the minutes of the meetings of the board of directors, committees thereof and the shareholders of the Corporate Debtor;*
- vii. *Details of status of statutory dues 01st April 2018 onwards (attested by both suspended directors);*
- viii. *Stock Register of Corporate Debtor;*
- ix. *Details of last two months salary/wages sheet/register of Corporate Debtor;*
- x. *Details including the number and other details of workers and employees and liabilities of the Corporate Debtor towards them;*
- xi. *List of creditors containing the names of creditors, the amounts claimed by them, and the security interest, if any, in respect of such claims.*
- xii. *List of sundry creditors/debtors as on 09.12.2020 of Corporate Debtor;*
- xiii. *Fixed assets register for the purpose of taking custody of those assets;*
- xiv. *Audited financial statements of the Corporate Debtor for the last two financial years i.e. F.Y.2018-19 and 2019-20;*
- xv. *Complete details of address and Email ID's of all Loans and advances of the corporate debtor.*
- xvi. *Any other relevant information in respect of the Corporate Debtor.*
- c) *Pass any other order(s), which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."*

Despite issuance ofailable warrants for production, the Respondents have not been discharging their obligations under Section 19(2) of IBC, 2016. The Authorised Representative of the Liquidator has submitted that despite sending email, the Respondents are not showing any cooperation. In the circumstances, the Respondents are directed to

keep themselves available to the Liquidator on daily basis during next 15 days and would extend all cooperation and discharge all other duties and liabilities as needed and required to provide aforementioned information/documents/assets/details to the Liquidator. The Respondents would not remain absent to the aforementioned days except with the leave of the Liquidator. Accordingly, the present application i.e. IA/31/ND/2021 stands disposed of. The Court-officer and the Liquidator are directed to send a copy of this order to the Respondents.

IA/4707/ND/2021

There is no appearance on behalf of other Respondents except Respondent Nos.13 & 32.

Respondent Nos.1 to 31, 33 & 34 have already been proceeded *ex-parte*.

Ld. Counsel appearing on behalf of Respondent No.32 has submitted that the arguing Counsel is out of station due to some urgent work and prayed for short adjournment.

Let the matter be fixed for hearing on **Monday i.e. 13.03.2023**.

IA/1861/ND/2022 & IA/1985/ND/2022

There is no appearance on behalf of the Applicant in both the IAs. In the interest of justice, let the IAs be fixed for hearing on **17.03.2023**.

Sd/-

**DR. BINOD KUMAR SINHA,
MEMBER (TECHNICAL)**

Sd/-

**ASHOK KUMAR BHARDWAJ,
MEMBER (JUDICIAL)**