

**DIVISION BENCH**

**ITEM NO.111**

**NATIONAL COMPANY LAW TRIBUNAL  
ALLAHABAD BENCH  
PRAYAGRAJ**

**CA No.271/2019 & IA No.170/2021 IN CP (IB) No. 344/ALD/2018**

**CORAM:**

- 1. SHRI PRAVEEN GUPTA,  
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,  
HON'BLE MEMBER (TECHNICAL)**

**Date of Order: 1<sup>st</sup> May, 2024**

**Attendance-Cum-Order Sheet of the Hearing.**

<b>NAME OF THE COMPANY</b>	<b>SUNDER KUMAR V/S KOMOREBI EXPORTS PVT LTD</b>
<b>UNDER SECTION</b>	<b>9 IBC (IN LIQUIDATION)</b>

**COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:**

Sh. Anil Kumar, PCS : *For the Applicant/ Liquidator  
in CA No.271/2019 & IA No.170/2021*

Ms. Babita Jain, Adv. : *For the Respondent in CA No.271/2019*

**ORDER**

**CA No.271/2019**

Ld. Counsels representing the parties are present.

- 1.** This application has been filed U/s 66 of the Code against the Directors of the Ex-Management. The basis of this application is the forensic audit got conducted by the Liquidator, to which the response has also been filed by the Directors of the Ex-Management.
- 2.** We also see that there is another IA No.170/2021 filed U/s 54 of the Code for dissolution of the Corporate Debtor itself.
- 3.** After arguing for some time, it emerged that this CA No.271/2019 filed U/s 66 of the Code, is likely to take some more time for arguments.

**-Sd-**

**-Sd-**

4. The Ld. Authorized Representative for the Liquidator seeks liberty to find out, if this application filed U/s 66 of the Code could be pursued either by the Operational Creditor or by the Liquidator himself, and meanwhile the decision on IA No.170/2021 filed U/s 54 of the Code could be taken.
5. Let the matter be adjourned for 12<sup>th</sup> June, 2024 to await the response in this context.

***-Sd-***  
**(Ashish Verma)**  
**Member (Technical)**

***-Sd-***  
**(Praveen Gupta)**  
**Member (Judicial)**

***1<sup>st</sup> May, 2024***

*Kavya Prakash Srivastava*  
*(Stenographer)*