

**NATIONAL COMPANY LAW TRIBUNAL**  
**राष्ट्रीय कंपनी विधि अधिकरण**  
**CUTTACK BENCH**  
**कटक खंडपीठ**

**ORDER SHEET OF THE HEARING ON 5<sup>th</sup> DECEMBER, 2022, 10:30 A.M.**

TP No. 38/CTB/2019, (CP No. 1289/KB/2018), IA No. 26/CTB/2020

**Present: 1. Hon'ble Member (Judicial), Shri P. Mohan Raj**  
**2. Hon'ble Member (Technical), Shri Satya Ranjan Prasad**

Name of the Company	Bank of India -Vs- Maa Durga Flour Mills Pvt. Ltd.
Under Section	7 IBC

For Petitioner (s)

Mr. Patita Paban Bishwal, Adv  
Ms. Suranjana Chatterjee, Adv For RP

For Respondent (s)

**ORDER**

Ld. Representing Counsel Ms. S. Chatterjee appears on behalf of the applicant. Submits that the arguing counsel in the matter Mr. A. C. Swain has some personal inconvenience, therefore, Ld. Counsel unable to appear before this Tribunal today. There is no representation for the respondent. This is an application filed under Section 66 of IBC,2016 for fraudulent transactions against the Erstwhile Directors of the Corporate Debtors by the RP. From the records, it appears that Resolution Plan was approved by this Adjudicating Authority in IA No. 24/2021. The appeal preferred before the Hon'ble NCLAT Delhi in CA No. 104/2022 was dismissed on 07.11.2022. After the approval of the Resolution Plan, the office of the Resolution Professional ceased. Ld. counsel representing, Resolution Professional is unable to explain how Resolution Professional is entitled to proceed with this application because after approval of Resolution Plan office of Resolution Professional became *functus officio*. To get clarifications and proceed with the application, list the matter on 03.01.2023.

Sd

**Satya Ranjan Prasad**  
**Member (Technical)**

Sd

**P. Mohan Raj**  
**Member (Judicial)**