

NATIONAL COMPANY LAW TRIBUNAL

राष्ट्रीयकंपनीविधिअधिकरण

CUTTACK BENCH

कटकखंडपीठORDER OF THE HEARING ON 30th April, 2024, 10:30 A.M.

TP No. 211/CTB/2019 (CP No. 26/2016)- H.C., IA (Companies Act) No. 18/CB/2023, New IA (Companies Act) No. 27/CB/2024, New IA (Companies Act) No. 28/CB/2024

Coram: 1. Hon'ble Member (Judicial), Shri P. Mohan Raj
2. Hon'ble Member (Technical), Shri Kaushalendra Kumar Singh

| | |
|---------------------|---|
| Name of the Company | Ahluwalia Contracts (India) Ltd. (ACIL) -Vs- Assotech Milan Resorts Pvt. Ltd. |
| Under Section | 433, 434 & 439 (9 IBC) |

Hearing through: VC and Physical (Hybrid) Mode

For Petitioner (s) Mr. Saswat Kumar Acharya, Adv.
Mr. S. Pholgu, Adv.
Mr. Subham Agrawal, Adv.
Mr. Suresh Chandra Pattanayak, Liquidator

For Respondent (s) Mr. Rahul Ray, Adv.

ORDER**IA (Companies Act) No. 18/CB/2023**

Ld. Counsel Mr. S.K. Acharya appeared for the applicant/liquidator. Ld. Counsel Mr. Rahul Ray appeared for the suspended board of directors. Liquidator is also presented in person. The counsel for the liquidator represents that respondent has not complied the requirements of the email dated 11.04.2024. Further, he submitted that only draft balance sheet and tally data details of the corporate debtor has been provided and documents like invoices and bank statement etc. were not submitted. Ld. Counsel appeared for the respondent stated that whatever the document available with the suspended board of directors were already provided. It appears that the respondent has not complied the requirements of the email dated 11.04.2024. In the circumstances as a further chance, respondent is directed

Sd

Sd

to furnish the documents required in email dated 11.04.2024 failing which respondent has to file affidavit why they are not able to file those documents and failing which the suspended board of directors have to appear in person on the next date of hearing. List the matter on 10.06.2024.

New IA (Companies Act) No. 27/CB/2024

This is an application filed under section 35 (1) (n) r/w 60 (5) of IBC, 2016 to take on record the 4th progress report, quarter ended with March, 2024, discussed and taken on record with just exception. Accordingly, this application is Allowed and Disposed of.

New IA (Companies Act) No. 28/CB/2024

This is an application filed to grant additional six months for completion of liquidation process. Six months' time is granted. Now, the liquidation period ends on 16.10.2024. Accordingly, this application is Allowed.

Sd

Kaushalendra Kumar Singh
Member (Technical)

Sd

P. Mohan Raj
Member (Judicial)