

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - I

ITEM No.217-IA/683(AHM)2024
in

IA/587(AHM)2022

ITEM No.218-Cont.P/7(AHM)2024 in IA/20(AHM)2022
in

CP(IB) 657 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

Powertronics Control System

.....Applicant

V/s

Intelligent Textile Engineers Pvt Ltd

.....Respondent

Order delivered on 30/04/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant

: Mr. Nipun Singhvi, Adv. for erstwhile RP

For the Respondent

: Ms. Ritu Guru, Adv. Standing Counsel

For the State Tax Department

: Mr. A. O. Barkhori. STO

: Mr. Parth Rathod, STO

: Mr. Kripal Singh Gohel (Asst. Commissioner)

ORDER

IA/683(AHM)2024 in IA/587(AHM)2022

The process of Liquidation of Intelligent Textile Engineers Private Limited commenced under the Insolvency and Bankruptcy Code, 2016 vide order pronounced by the Hon'ble NCLT, Ahmedabad Bench on 19.01.2024 and Mr. Omkar Maloo, was appointed as Liquidator to carry out the liquidation process. In compliance to Regulation 15 of IBBI (Liquidation Process) Regulations, 2016, the 1st Quarterly Progress Report for the period from 19.01.2024 to 31.03.2024 is being fled alongwith Minutes of SCC. The same is taken on record, with all just exceptions. Place report with main file for further reference.

Accordingly, **IA/683(AHM)2024 in IA/587(AHM)2022** stands disposed of.

Cont.P/7(AHM)2024 in IA/20(AHM)2022

Learned counsel for the applicant submit that a copy of the of the contempt petition application was again supplied on the very that day through e-mail as well as whatsapp copy and also by the speed post which is confirmed by the present counsel officers present today in Court.

Today, again Mr. A.O. Barkhori, Mr. Parth Rathod, State Tax Officers and Mr. Kripal Singh Gohel Asst. Commissioner are present physically. However, It is seen that last extended order dated. 03.04.2024 passed in the present contempt petition has not been complied with by the respondent State Tax Department as seven days time was given to file reply as well as to respond qua the compliance of order dated 29.08.2022 passed in IA/20 of 2022.

It is seen that not only there is disobedience on the part of the respondent of State Tax Department qua the compliance of order dated 29.08.2022 even last order has also not been complied with nor any stay order of any higher forum has been placed before us.

Let Mr. Samir Vakil, Chief Commissioner of State Tax, Ahmedabad, Gujarat (**Office of the Chief Commissionr of State Tax, Court Branch, 5th Floor, Rajyakar Bhavan, Ashram Road, Ahmedabad**) and M.D Patel Joint Commissionr of State Tax, (**Office of the Joint Commissionr of State Tax, Court Branch, 2nd Floor, Rajyakar Bhavan, Ashram Road, Ahmedabad**) remain present physically on the next date of hearing with show cause as to why the contempt proceeding should not be intiated for continuous wilful disobedience of the orders of this Tribunal as referred above. The Applicant and Registry is directed to serve copy of this order upon the Chief Commissioner of State Tax, Ahmedabad, Gujarat within seven days and applicant to file proof of service with affidavit.

All the matters re listed on 14.06.2024.

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**SAMEER KAKAR
MEMBER (TECHNICAL)**

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**SHAMMI KHAN
MEMBER (JUDICIAL)**