

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

ITEM No 208- IA 177 of 2021
ITEM No 209- IA 178 of 2021
In
CP(IB) 482 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

Elcen Machines Pvt Ltd
V/s
MAKTEL Power Ltd

.....Applicant

.....Respondent

Order delivered on ..21/12/2022

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)
Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Atul Sharma, Adv.
For the Respondent : Mr. Shrikrishna, Adv. for Vadodara Municipal Corporation

ORDER

IA 177 of 2021

None appears for the respondent. As recorded in the order dated 24.11.2022 that if amicable settlement is not arrived, and if the respondent does not approach the Liquidator for resolving the issue, no further adjournment will be granted. It is further seen that on 13.09.2022, Learned Counsel for the non-applicant made request that leave and licence agreement is expiring on 01.04.2023, and he shall resolve the issue with the Liquidator for which time was granted. However, there is no development in this regard. We have heard Learned Counsel for the applicant-Liquidator.

Order reserved.

IA 178 of 2021

Learned Counsel for the non-applicant Vadodara Municipal Corporation states that meeting of standing committee could not be held, and no instructions could be received. It is recorded in the order dated 24.11.2022 that time was granted as requested to list this matter on 15.12.2022 for taking instructions from the standing

committee as due to intervening elections in the State of Gujarat the standing committee meeting could not be held. Today, the submission is made that no meeting of standing committee could be held, and no instructions are received, hence, Learned Counsel states that the appropriate orders may be passed in line with the judgment passed by the Hon'ble Supreme Court in the case of Rainbow Papers matter Ltd.

Learned Counsel for the both the sides are at liberty to file written submission not more than three pages within a week.

Order reserved.

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

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**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**