

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

ITEM No.213- IA/608(AHM) 2023
ITEM No. 214- IA/543(AHM) 2021
In
CP(IB) 143 of 2017

Proceedings under Section 7 IBC

IN THE MATTER OF:

Canbank Factors Ltd
V/s
Accord Industries Ltd

.....Applicant

.....Respondent

Order delivered on 09/04/2024

Coram:

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

PRESENT:

| | |
|--------------------------------|---------------------------------------|
| For the Applicant / Liquidator | : Mr. Harshil Patel, Advocate |
| For the Respondent | : Mr. Jay Kansara, Advocate For R-9 |
| | : Mr. Vishwas Shah, Advocate for R-10 |
| | : Mr. Dhruvin Dossani, Advocate for |
| | : Mr. Masoom Shah, Advocate for R-12 |
| For the Income Tax Department | : Ms. Kinjal Vyas, Advocate for |
| | : Ms. Maithili Mehta, Advocate |

ORDER

None has appeared on behalf of the Respondents No. 13 in the matter. The rest of the respondents are already proceeded ex-parte.

Learned Counsel for the applicant / liquidator submits that the respondent Nos.1 to 6 are related parties and respondent Nos. 7 to 14 are unrelated third parties.

Learned Counsel for the applicant / liquidator seeks time to go through the judgment of Hon'ble Supreme Court dated 19.05.2023 rendered in M.A. No. 1302 of 2023 in SLP (Crl.) Diary No.6732 of 2023 titled as ***Gluckrich Capital Pvt. Ltd Vs The State of West Bengal & Ors*** and apprise this Tribunal, as how this application is still maintainable against the Respondent Nos. 7 to 14 unrelated third parties.

Learned Counsel for the applicant / liquidator also seeks time to file an appropriate affidavit qua the relief clause **V(d)**. Learned Counsel for the applicant / liquidator is directed to place on record the precedent of Hon'ble NCLAT/Supreme Court qua the order of dissolution of the corporate debtor, even in the event of without winding up of the complete affairs of the Corporate Debtor.

Re-list all the matters on 14.06.2024.

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)