

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

ITEM No. 209- IA/285(AHM) 2021
ITEM No. 210- IA/806(AHM) 2021
ITEM No. 211- Cont. P/3(AHM) 2022 in
IA/411(AHM) 2021
ITEM No. 212- IA/39(AHM) 2022
In
CP(IB) 305 of 2018

Proceedings under Section 7 IBC

IN THE MATTER OF:

Bank of India

.....Applicant

V/s

Pacific Pipe Systems Pvt Ltd

.....Respondent

Order delivered on 06/02/2024

Coram:

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

Mr. Sameer Kakar, Hon,ble Member(T)

PRESENT:

For the Applicant : Ms. Nitu Chaturvedi, Adv. a/w. Mr. Aditya Mehta, Adv.
: Mr. A. V. Nair, Adv. for Regional PF Commissioner
In (IA/806 of 2021)
: Mr. Ravi Pahwa, Adv. a/w. Ms. Pragati Bansal, Adv.
In (Cont. P/3 of 2022)

For the Liquidator : Ms. Nitu Chaturvedi, Adv. a/w. Mr. Aditya Raval, Adv.
In IA/285 of 2021, IA/806 of 2021, Cont. P/3 of 2022
: Mr. Ravi Pahwa, Adv. a/w. Ms. Pragati Bansal, Adv.
In (IA/806 of 2021)

For the Respondent : Mr. A. V. Nair, Adv. in (IA/285 of 2021)

ORDER

IA/285(AHM) 2021, IA/806(AHM) 2021, Cont. P/3(AHM) 2022, IA/39(AHM) 2022

Learned Counsel for the liquidator as well as the counsel for the EPFO department submits that in the past, all the proceedings before this Tribunal were stayed by the Hon'ble Gujarat High Court and have been vacated vide order dated 02.01.2024, and ordered that an alternate remedy is available to the liquidator to approach this Tribunal to avail of the same.

A Xerox copy has been placed before us of the Hon'ble Gujarat High Court order dated 02.01.2024. Learned Counsel for the liquidator submitted that an Interlocutory

Application has already been moved in the Registry, and he is in the process of getting it listed for hearing / adjudication.

Learned Liquidator Ms. Nitu Chaturvedi, in Interlocutory Application i.e. **IA/285(AHM) 2021** submitted that respondent's authorities are not appearing in the matter. Since stay was operating in the matter, it would be unfair if a fresh notice be issued to the respondents to appear in the matter.

Learned Liquidator is directed to take steps for fresh service upon the respondents, within seven days and file proof of service of the same.

Re-list on 11.03.2024.

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)