

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

ITEM No.201
C.P.(IB)/19(AHM)2024

Proceedings under Section 59 IBC

IN THE MATTER OF:

Ashish Shah Liquidator of ECA Trading Services Limited

.....Applicant

.....Respondent

Order delivered on 03/05/2024

Coram:

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

PRESENT:

For the Applicant : Mr. Ashish Shah, Liquidator
For the Respondent :

ORDER

This is an application filed under Section 59(7) of the IBC, 2016 by the Liquidator seeking voluntary liquidation of the Corporate Debtor.

During the course of the hearing, the Learned Liquidator, Mr. Ashish Shah, was present and sought time to place on record the bank statement, where a sum of Rs. 16.27 crore was received by way of liquidation of the fixed deposit of the corporate debtor. Learned Liquidator is permitted to do the same, within a period of one week from the date of this order.

However, it is seen that there were certain Income Tax dues on which the liquidation period was extended by the stakeholders. On the papers placed on record, it is seen that the Income Tax Department has not filed its claim before the Learned Liquidator.

However, in the interest of justice, we deem it fit to issue notice to the Income Tax Department.

The Registry is directed to issue notice to the Income Tax Department returnable on next date. The applicant is directed to collect the notice from the registry within three days and serve upon the concerned jurisdictional Income Tax assessing authority along with copy of this order through Registered Ad post / Speed-post / Dasti mode as well as on the registered email ID within seven days from the date of this order. The Income Tax Department is directed to reply within two weeks from the date of receipt of notice. Rejoinder, if any, be filed thereafter before the next date.

Proof of Service be filed by way of an affidavit before the next date of hearing.

List the matter for appearance of the Income Tax Department on 11.06.2024

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)