

5. Meanwhile, this Tribunal granted 90 days extension of CIRP vide order dated 11.08.2023, then also Applicant did not receive any resolution plan despite the second EOI.
6. On 28.10.2023 CoC meeting was held on wherein the CoC resolved for the liquidation of the Corporate Debtor as per the provisions of Section 33 of the Code.
7. During the meeting the Applicant apprised the CoC that the Applicant does not want to continue as Liquidator of the Corporate Debtor. The CoC also apprised that they do not have consent of any other Insolvency Professional who can be appointed as Liquidator.
8. Accordingly, the CoC also passed a subsequent resolution for appointment of Liquidator which states that this Bench may appoint a Liquidator as per the provisions of Section 34 of the Code from its panel maintained.
9. Considering, totality of the circumstances, this Bench is of the view that there is no alternative except to pass that the Corporate Debtor to be liquidated.
10. We hereby appoint **Mr. Vijendra Kumar Jain**, having IBBI Registration No. IBBI/IPA-001/IP-P00721/2017-18/11253 as the Liquidator of the Corporate Debtor **DREAMS CONSTRUCTION PUNE PRIVATE LIMITED**.
11. This order for liquidation shall be deemed to be a notice of discharge to the officers, employees and workmen of the Corporate Debtor, except when the business of the corporate debtor is continued during the liquidation process by the liquidator.
12. The fees payable to the Liquidator shall be in accordance with Regulation 4 of the IBBI (Liquidation Process) Regulations, 2016.
13. The Liquidator shall submit progress reports as per Regulation 15 of the IBBI (Liquidation Process) Regulations, 2016.

14.The Liquidator is hereby Authorized to represent the Corporate Debtor before the Government Authorities, if need be.

15.In view of above, **IA 5296/2023** is **allowed** and **disposed of**.

IA No. 1899/2023 -

1. Learned Counsel for the Resolution Professional informs that liquidation application 5296/2023 is filed and order therein is passed in this Order itself, accordingly this application filed under Section 19(2) of the Code may not be required and liquidator may consider filing an appropriate application after his appointment.
2. Accordingly, the present application may be disposed of.
3. In view of the submission made by the Counsel for the Applicant **IA No. 1899/2023** is **dismissed** as **withdrawn**.

Sd/-
PRABHAT KUMAR
MEMBER (TECHNICAL)

Sd/-
JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)

Sapna