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**IN THE NATIONAL COMPANY LAW TRIBUNAL
SPECIAL BENCH, COURT NO. IV,
NEW DELHI**

**ITEM No. 101
CA. 233/ND/2020, (IB)-252/(ND)/2019**

Under Section: 9 of IBC.

In the matter of:

Seitz gmbh	...	Applicant
Vs		
Seitz India Pvt. Ltd.	...	Respondent

Order delivered on 28.01.2020

CORAM

**MS. INA MALHOTRA,
HON'BLE MEMBER (J)**

**MR. HEMANT KUMAR SARANGI,
HON'BLE MEMBER (T)**

For the Applicant	: Mr. R. K. Gupta, Adv. Mr. Swaralipi Deb Ray, Adv., Ms. Sanat Garg, Adv.
For the Ex-Director	: Mr. Swapnil Gupta, Adv.
For the Respondent	: Mr. Nitin Kashyap, Adv.

ORDER

CA No. 233/ND/2020 filed by the Resolution Professional under Section 33 of the Insolvency & Bankruptcy Code, 2016 for liquidation of the assets of the Corporate Debtor. It is stated that no resolution plan was received. This Bench was apprised that there is no business in operation of the Corporate Debtor and there are no assets that can be put up for resolution. In view of the



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31/1/20

same, the COC, in its meeting dated 06.12.2019, had consented resolution for proceeding towards liquidation. The said resolution was duly approved by the sole member of COC. The Resolution Professional in this case has consented to act as Liquidator. His consent is on record. Application is duly annexed with the affidavit of resolution. Duly notice has been effected on the Ex-Directors. No objections have been received. Considering the submissions made by the learned counsel, CA No. 233/ND/2020 stands allowed. Assets of the Corporate Debtor be liquidated.

CA No. 574/ND/2019 is an application filed under Section 43 and 66 of Insolvency & Bankruptcy Code, 2016. Notice of the same is accepted by the learned counsel for the Ex-Directors. Learned counsel Mr. Nitin Kashyap appearing on behalf of all the respondents. Let reply be filed by all the respondents. List on 24.02.2020.

Sd/-
(HEMANT KUMAR SARANGI)
MEMBER (TECHNICAL)

Mukesh



[Handwritten Signature]
31/1/2020

Sd/-
(INA MALHOTRA)
MEMBER (JUDICIAL)

[Handwritten Signature] 31.1.2020
Deputy Registrar
National Company Law Tribunal
CGO Complex, New Delhi-110003

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