

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-1179/60(5)/ND/2018

CORAM:

**PRESENT: MS. DEEPA KRISHAN
HON'BLE MEMBER(T)**

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

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 08.10.2018.**

**NAME OF THE COMPANY: M/s. Anil Kumar Dua & Others V/s. Gulshan
Kumar Gupta (Ikon Real-Tech Pvt. Ltd.)**

SECTION OF THE COMPANIES ACT: 60(5)

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
--------------	-------------	--------------------	-----------------------	------------------

Present for the Petitioner:	Mr. Anurag Ojha, Mr. Manish Kumar and Mr. Durgesh K. Mishra, Advocates
------------------------------------	---

Present for the Respondent:	Mr. Gulshan Kumar Gupta, Liquidator
------------------------------------	-------------------------------------

ORDER

The present petition has been filed by the Directors of the Company Ikon Real-Tech Private Ltd. for terminating the process for voluntary liquidation which they had earlier initiated. As per averments, the Board of Directors of the appellant has passed the resolution dated 16th April, 2018 under Section 59 of the Insolvency & Bankruptcy Code for a voluntary liquidation. A special resolution was passed by extra ordinary general meeting on 25th April, 2018. A Liquidator (Respondent no. 2) was appointed to complete the due process in accordance with the regulations. Announcement was made in the daily

(Sapna)

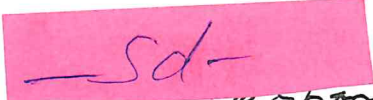
newspaper as well as on the website of Insolvency and Bankruptcy Code of India. Communication was also made to the Income Tax Department.

It is submitted that the company did not have any debt as on the date of the announcement of the voluntary liquidation. Therefore, approval of the creditors was not required. Further pursuant to the publication, the liquidator did not receive any claims.

Though the respondent liquidator had initiated the steps, he received the letter from the stakeholders expressing their interest to withdraw the voluntary liquidation process. It is stated that there are no dues or any other claims and the entire assets of the company have been kept in the fixed deposit with the bank. On issuance of notice, Mr. Gulshan Kumar Gupta, the Voluntary Liquidator appointed by the company Ikon Real-Tech Private Ltd. appeared in court. He has no objection for the present petition being allowed. As there is no legal impediment in allowing the prayer made by the Shareholders and Directors of the company under liquidation, this petition stands allowed.

The liquidation proceedings are terminated. The petitioner may take steps to communicate this order to all concerned.

The petition stands disposed of in terms of the above.


(Deepa Krishan)
Member (T)


(Ina Malhotra)
Member (J)

(Sapna)