

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 4
(IB)-31(PB)/2018

IN THE MATTER OF:

| | | |
|------------------------------------|------|----------------------|
| Oriental Bank of Commerce | | Applicant/petitioner |
| v. | | |
| Lotus Auto Engineering Ltd. & Ors. | | Respondent |

Order under Section 7 of Insolvency & Bankruptcy Code, CIRP

Order delivered on 08.06.2020

CORAM:

SH. B.S.V. PRAKASH KUMAR
HON'BLE ACTG. PRESIDENT

SH. HEMANT KUMAR SARANGI
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP
For the CoC

Mr. Abhirup Dasgupta, Adv.
Mr. S.K. Sharma, Adv.

ORDER

IA-2121/2020

Its an application filed by the Resolution Professional, whose name was proposed by the CoC to become liquidator upon his consent for modification of the liquidation order, because this bench perhaps by seeing this RP's name is not present being recommended to become liquidator at the time of passing of the order Mr. Sanjay Kumar Jha, has been appointed as Liquidator. Therefore, the RP has sought for correction of the order and make him as a Liquidator in the place of Mr. Sanjay Kumar Jha who has been mistakenly appointed as Liquidator.

What all said by the Resolution Professional might be right but since the recommendation and consent of this Resolution Professional to continue as Liquidator not be annexed to the application filed under Section 33 of the Insolvency & Bankruptcy Code, it is obvious that this Bench had to appoint

somebody, therefore appointed Mr. Sanjay Kumar Jha as the Liquidator.

However, in the backdrop of these facts, the person appointed as Liquidator by this Bench is hereby directed as to why this application should not be allowed. In the mean time, Mr. Sanjay Kumar Jha shall not carry the functioning of the Liquidator.

List on 12.06.2020.

— Sd —

**(B.S.V PRAKASH KUMAR)
ACTG. PRESIDENT**

— Sd —

**(HEMANT KUMAR SARANGI)
MEMBER (TECHNICAL)**

08.06.2020
Ritu Sharma