

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

6. IA/1222(MB)2020 & IA/462/MB/2021 in C.P. (IB)/3075(MB)2019

CORAM:

SMT. ANURADHA SANJAY BHATIA,
MEMBER (T)

SMT. SUCHITRA KANUPARTHI,
MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON **09.03.2022.**

NAME OF THE PARTIES: Kairav Anil Trivedi - IRP United Salt Works Industries Ltd

SECTION: Sec 10 Application under any other provisions- IBC

ORDER

1. IA 462 of 2021- This is an Application seeking liquidation of Corporate Debtor.
2. In view of the fact that post initiation of CIRP, no claims have been received by the IRP and the Coc was not formed. However, notices were sent through Court to two Operational Creditors namely Kandla Port Trust and Paschim Gujarat Vij Limited. They have only file mere Affidavit stating that they have a decree in their favour.
3. The Paschim Gujarat Vij Limited clarified that they are not desirous of pursuing their claims and an Affidavit has been filed to the extent.
4. This Bench notes that this is a peculiar circumstance, wherein the order of admission was passed on 14.10.2019. However, the claim has not received and after the period of 870 days have passed.
5. In view of the peculiar situation, this Bench allows the liquidation of the Corporate Debtor. The cost of liquidation may be borne out by the available funds of the Corporate Debtor's account.
6. Mr. Kairav Trivedi as the Liquidator to take up the assignment further.
7. IA No. 462 of 2021 is allowed and disposed of with above directions.
8. IA 1222 of 2020- This Application has been filed seeking directions to the Interim Resolution Professional, since no claims were received and no CoC was formed under Section 33(1) of the Code.
9. In view of liquidation of the Corporate Debtor, this IA is rendered infructuous and disposed as infructuous.

Sd/-
ANURADHA SANJAY BHATIA
Member(Technical)

Sd/-
SUCHITRA KANUPARTHI
Member(Judicial)

/z/