

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI
COURT-III

IB-562(ND)/2019

IN THE MATTER OF

M/s. Wyndhan Hotels Asia Pacific Co. Ltd.

... OPERATIONAL CREDITOR

VS.

M/s. Aerens Goldsouk International Ltd.

...CORPORATE DEBTOR

SECTION

Under Section 9 IBC code 2016

Order delivered on 09.01.2020

Coram:

Ch. Mohd. Sharief Tariq

Hon'ble Member (Judicial)

Ms, Sumita Purkayastha

Hon'ble Member (Technical)

For the Petitioner/FC : Mr. Shawtab Sinha and Mr. Rohan Kousheas Advocates

For the Corporate Debtor :

ORDER

Counsel for both the parties are present. The Counsel for the CD has placed on record an order dated 01.08.2019 passed by the Hon'ble High Court of Delhi in C.P. No.3117/ 2016 wherein CD is arrayed as respondent. The petition was filed before the Hon'ble High Court of Delhi u/sec.433(e) and 434, 439 of the Companies Act, 1956 seeking winding up of the respondent company, wherein the official liquidator attached with the Hon'ble High Court of Delhi has been appointed as provisional Liquidator with the directions to take control of all the assets and accounts and record of the respondent company and to proceed to prepare complete inventory of the assets of the company and take over the same to evaluate all the assets to facilitate the proceedings of winding up. In short, the official liquidator is directed to take all further steps that may be necessary to bring on record all the assets of the respondent company. In view of the order passed by the Hon'ble High Court of Delhi, the present petition filed u/sec.9

cannot be proceeded with as the Hon'ble High Court of Delhi is already seized of the matter.
Therefore, the present petition stands closed.

-S=d-

(SUMITA PURKAYASTHA)
MEMBER (TECHNICAL)

-S=d-

(CH. MOHD. SHARIEF TARIQ)
MEMBER (JUDICIAL)