

**NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH**

**(IB)-845(ND)2018**

**CORAM:**

**PRESENT: DR. V.K. SUBBURAJ**  
**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 15.07.2019.**

**NAME OF THE COMPANY: M/s. Toll Global Forwarding (India) Pvt. Ltd.**  
**V/s. M/s. Marvel Craft Pvt. Ltd.**

**SECTION OF THE COMPANIES ACT: U/s 9 of IBC Code, 2016**

<b>S.NO.</b>	<b>NAME</b>	<b>DESIGNATION</b>	<b>REPRESENTATION</b>	<b>SIGNATURE</b>
--------------	-------------	--------------------	-----------------------	------------------

**Present:** Mr. Karan Rajpurohit, Advocate for SIDBI

**ORDER**

CA 758/2019 has been filed by the RP under Section 33 of the Code. Notice of the same was duly accepted by one of the ex-Director, Mr. Ajay Wasi. No objection has been filed to the prayer made herein.

Ld. counsel for the RP submits that no resolution plan has been received in this case despite inviting expression of interest. The decision to proceed towards liquidation has been taken by the COC in its meeting dated 15<sup>th</sup> May, 2019 whereby it has been resolved that since no resolution plan has been received from any prospective applicant, the Resolution Professional should file the application for initiating the liquidation process. The said resolution is listed as item no. 2(4) on the agenda. It has been submitted that this resolution has been unanimously been approved by the COC. The said application is annexed with the affidavit of the resolution professional.

[Dilshad]

✓

In view of the facts of the case, there is no legal impediment in allowing the prayer made herein.

This application is therefore allowed. The liquidation proceedings be initiated. It is submitted that the COC shall take the decision for appointing the liquidator in this case as the RP has not given her consent.

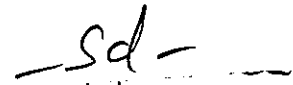
Let the COC meeting be convened at the earliest.

Reply to the application under section 43 and 66 of the Code has been filed by the ex-Director. It is submitted that rejoinder has also been filed, copy of which has not been supplied to the opposite side. Let steps be taken.

To come up for further consideration on 22<sup>nd</sup> July, 2019.



**(Dr. V.K. Subburaj)**  
**Member (T)**



**(Ina Malhotra)**  
**Member (J)**