

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-516(ND)2019

CORAM:

**PRESENT: MS. SAROJ RAJWARE
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
30.09.2019.**

**NAME OF THE COMPANY: M/s. Jai Durga Packers V/s. M/s. Brimson
Cables Pvt. Ltd.**

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO. NAME DESIGNATION REPRESENTATION SIGNATURE

Present: Mr. Nishant Anand, Advocate for the Applicant

ORDER

Despite court notice to the Operational Creditor as well as to his counsel, none is present.

The brief background of this case is that the CIR process was initiated by the Operational Creditor and was duly admitted vide our order dated 30th April, 2019. The Operational Creditor had contributed Rs. 1 lakh initially to meet the CIR process and thereafter no contribution has been made. Certain claims have been received. None of the claimants are ready and willing to share the CIR costs. Under such circumstances, despite court notice issued to the Operational Creditor and the counsel, none has appeared. We cannot expect the IRP to proceed with the process without having funds. Moreover, there is no business or assets of the Corporate Debtor as submitted by the Ld. Counsel appearing for the Ex-Director. Under such circumstances, the CIR process stands terminated. The IRP is discharged.



**(Saroj Rajware)
Member (T)**



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