

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
COURT NO. IV, NEW DELHI**

**ITEM No. 04  
CA.568/ND/2019 (IB)-201(PB)/2018**

**Under Section: 9 of IBC.**

**In the matter of:**

Vinod Kumar	...	<b>Applicant</b>
Vs		
Noesis Industries Ltd.	...	<b>Respondent</b>

**Order delivered on 28.11.2019**

**CORAM**

**SMT. INA MALHOTRA,  
HON'BLE MEMBER (J)**

**SHRI HEMANT KUMAR SARANGI,  
HON'BLE MEMBER (T)**

For the Applicant:

For the Respondents No. 1 and 5: Mr. Hemant Chaudhary, Adv.  
Mr. Piyush Arora, Adv.

Mr. Deep Gupta, Director

For the RP

: Mr. Neeraj Kumar Gupta, Adv.

**ORDER**

Learned counsel for the Resolution Professional submits that vide order dated 21.11.2019, it was recorded that no resolution plan has been received by the COC. It is also submitted that more than 330 days are already over.

In view of the same, there is no alternative but to proceed for liquidation.

Earlier an application being CA No 208/2019 had also been filed by the Resolution Professional praying for liquidation, the said

decision was taken up and the resolution for proceeding liquidation was approved by the COC in its meeting held on 25.06.2019. The same was taken up as Item No. 5 on the agenda for the meeting. The decision to move for liquidation was unanimously approved by the members of COC. This application is duly annexed with the affidavit of the Resolution Professional. As no resolution plan is available and 330 days are also over, the prayer for liquidation made by the Resolution Professional on behalf of the COC, merits consideration. Accordingly, this application is allowed.

The assets of the Corporate Debtor are detailed to be liquidated. The Resolution Professional Mr. Yogesh Kumar Gupta has consented to continue as the liquidator in this case. CA No. 208 stands disposed of in terms of the above order.

The Ex-Directors also have no objection to the prayer made herein. Let steps be taken for liquidation and distributing the same in accordance with the Code.

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

**Sd**  
**(INA MALHOTRA)**  
**MEMBER (JUDICIAL)**

