

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

EP (IB) No. 838/KB/18

Present: 1. Hon'ble Member (J), Shri M.B. Gosavi
2. Hon'ble Member (T), Shri Virendra Kumar Gupta

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 10.03.2018

Name of the Company		Gati Kambatsu Express Pvt. Ltd.	
Under Section.		9 IBC	
Sl. No.	Name & Designation of Authorized Representative	Appearing on behalf of	Signature with Date

1. Anurag Kumar (Director) of Gati Kambatsu Express Pvt. Ltd. appearing on behalf of the company for extension of CIRP. Signature: Anurag Kumar, Date: 10.03.2018.
2. [Name] (Director) of Gati Kambatsu Express Pvt. Ltd. appearing on behalf of the company for extension of CIRP. Signature: [Name], Date: 10.03.2018.

The Tribunal is satisfied that the CIRP is being conducted in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016. The Tribunal orders that the CIRP be continued until the completion of the CIRP.

(Signature of Shri Virendra Kumar Gupta)

(Signature of Shri M.B. Gosavi)

Order attached

ORDER (Per Bench)

Ld. Counsel appears for the Operational Creditor. Ld. RP appears. 4th progress report is filed. CIRP period of 180 days is completed on 20.08.2019. RP submitted that he did not receive any resolution plan. There was no cooperation from the corporate debtor. CoC in its meeting dated 20.08.2019 passed resolution not to pray for extension of CIRP period under section 12 of IBC. In view of this inevitable inference that has to be drawn that this authority has no alternative but to pass order of liquidation of the corporate debtor. Accordingly, we direct that corporate debtor be liquidated as per provision of section 33 of IBC. Order of liquidation is being passed separately under section 33 of IBC.

Ld. RP submits that he does not wish to continue with further liquidation proceeding for his personal difficulty. He stands discharged. This authority would appoint some other professional as the Liquidator in course of time.

Sd

(Virendra Kumar Gupta)
Member (T)

Sd

(M. B. Gosavi)
Member(J)