

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

(IB)228(PB)/2018

CORAM:

PRESENT: MR. L. N. GUPTA
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 20.08.2019

NAME OF THE COMPANY: Relan Buildwell Pvt. Ltd. V/s. Kaliber Associates Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 7 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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Present: Mr. Rajiv Mehra, Sr. Advocate with Mr. Puneet Singh Bindra, Mr. Sumesh Dhawan, Ms. Geetika Sharma and Ms. Simran Jeet, Advocates for the Petitioner
Dr. U. K. Chaudhary, Sr. Advocate with Ms. Manisha Chaudhary, Mr. Himanshu Handam Mr. Dhruv Gupta and Mr. Pratham Soni, Advocates for the Respondents

ORDER

An application has been filed by the Ld. Counsel appearing for the RP, bringing on record the total non-cooperation by the Ex-Director. It is submitted that a vague email has been received by them as explanation to their queries last evening. We have gone through this email dated 19th August, 2019 addressed to the RP which is devoid of any cogent explanation.

Ld. Sr. Counsel appearing on behalf of the Ex-Directors submits that they shall be filing an affidavit giving the details of all information as available with the Ex-Directors in a tabulated form.



The statutory auditor who is present in court confirms that till preparation of the financial statements, no sale of any immovable property had been brought to his notice or was taken note of during the auditing of the Corporate Debtor's account. The statement given by Ex-Directors that the properties were sold way back, therefore appear to be baseless. The Ex-Directors are granted an opportunity to file details of the sales/proceeds along with their affidavit.

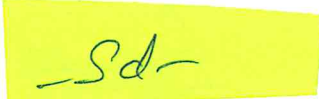
The statutory auditor, Mr. Satish Verma is also directed to file his affidavit with respect to the preparation of the audited accounts and preparation of the financial statements, addressing the points of concern raised by the RP.

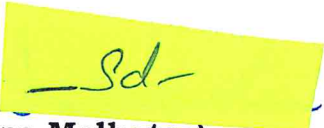
Sr. Ld. Counsel appearing for the RP submits that this is a fit case which will require investigation. This Bench shall consider this prayer after receiving all information.

Interim orders to continue till further orders.

Both the Ex-Directors and the Statutory Auditor are directed to be present along with the counsels on the next date.

Be listed on 27th August, 2019.


(L. N. Gupta)
Member (T)


(Ina Malhotra)
Member (J)