



IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT - II)

Item No. 210
(IB)-223(ND)2020
IA-4190/2022 IA-3461/2022 IA-4532/2022

IN THE MATTER OF:

M/s. D. Light Energy Private Limited ... **Applicant/Petitioner**

Versus

M/s. Benchmark Supply Chain Solution Private Limited ... **Respondent**

Under Section: 9 of IBC, 2016

Order delivered on 12.10.2022

CORAM:

SHRI. BACHU VENKAT BALARAM DAS,
HON'BLE MEMBER (J)

SHRI. L.N. GUPTA,
HON'BLE MEMBER (T)

PRESENT:

For the Applicant :

For the RP

**: Adv Gautam Singhal, Adv Ravikant Sharma for RP
Mr. Ajay Goyal, Resolution Professional**

**For Sus. Board of Directors : Mr. Anjuman Tripathy, Mr. Alok Tripathy,
Ms. Gunjan Tripathy, Advs.**

ORDER

IA-4190/2022: This application has been filed for seeking cancellation of Bailable Warrants issued by this Adjudicating Authority against the Respondent No. 1 and 2. Ld. Counsel appearing for the RP as well as the RP in person submits that the Suspended Board of Directors have handed over the books of accounts and as per which an amount of Rs. 6 crore is outstanding against certain debtors. However, they have not handed over the list of debtors. The Suspended Board of Directors are directed to hand over the list of debtors along with their complete address, e-mail and telephone numbers within next 5 days to the RP/Liquidator to facilitate recovery of the amount against whom this amount is due.

Both R-1 and R-2 are present in compliance of the warrants. Accordingly, the appearance of R-1 and R-2 is dispensed with. However, they are directed to



ensure that the complete information/documents/assets are handed over to the RP/Liquidator. Bailable warrants are revoked.

IA-3461/2022: An application under Section 19(2) of the Code. RP is directed to file the statement of the documents, information and assets which were required to be handed over by the Suspended Board of Directors and which has been received, including the statement of pending information, documents and assets by way of an additional affidavit within a period of 10 days. List this application on 16.11.2022.

IA-4532/2022: An application filed by the RP to pass an order for Liquidation of the Corporate Debtor i.e., Benchmark Supply Chain Solutions Private Limited as resolved by the CoC in its 3rd meeting held on 16.08.2022. The Resolution for Liquidation of the Corporate Debtor (placed on Page No. 60 of the application), has been passed by 100% vote of the CoC.

Ld. Counsel appearing for the RP further submits that the present RP has not given the consent to continue as Liquidator. Hence, the Liquidator may be appointed from the panel of the IBBI available with this Adjudicating Authority. In view of the averments made in the application and the submissions made by the Ld. Counsel, this Adjudicating Authority appoints Mr. Mohit Kumar Gupta (Email id: mohitgupta1112@yahoo.co.in) having Registration No. IBBI/IPA-001/IP-P00782/2017-18/11355, as Liquidator of the Corporate Debtor with immediate effect. He will take over the complete records, information and assets of the Corporate Debtor from the present RP.

(L.N. GUPTA)
MEMBER (T)

(BACHU VENKAT BALARAM DAS)
MEMBER (J)