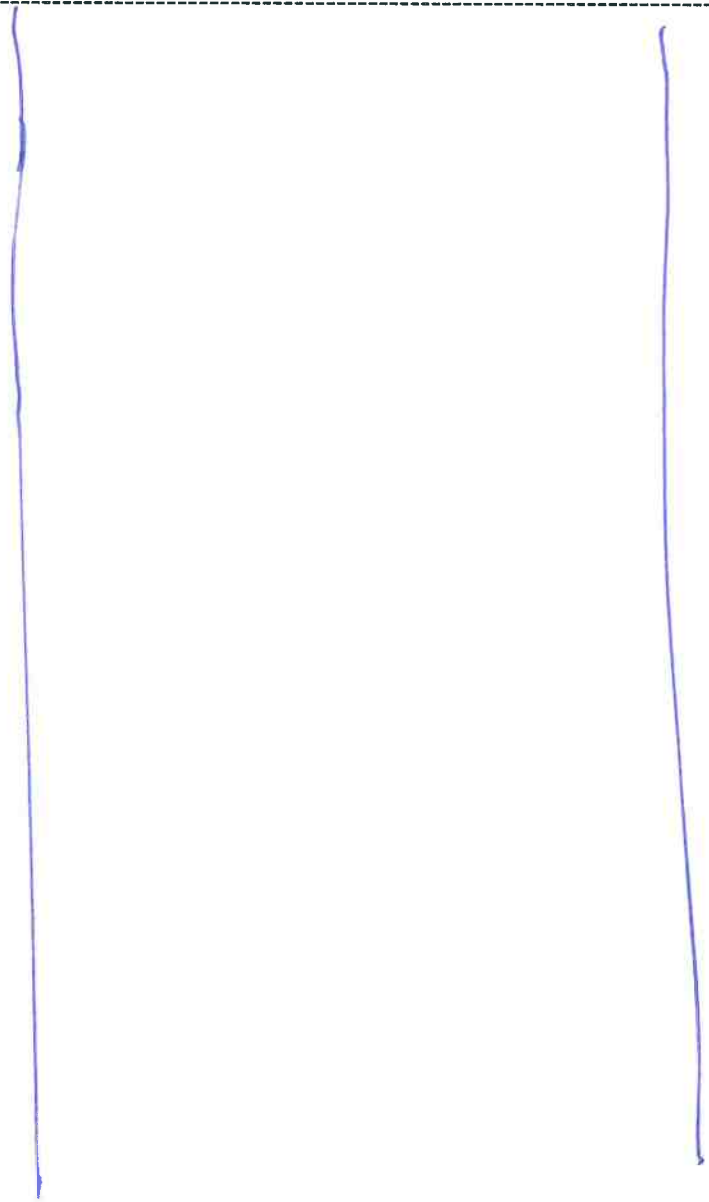


NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH – II
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 06-01-2022 AT 10:30 A.M THROUGH
VIDEO CONFERENCING:

PRESENT: JUSTICE (RETD.) SMT. S. RAMATHILAGAM, MEMBER (JUDICIAL)
SHRI B. ANIL KUMAR, MEMBER (TECHNICAL))

APPLICATION NUMBER : IA(IBC)/414/CHE/2021
PETITION NUMBER : IBA/83/2020
NAME OF THE PETITIONER : M Murugesan (IRP) of M/s Selathaar Tanning
Industries Pvt Ltd
NAME OF THE RESPONDENTS : Jamallur Razack Sakkira Bannu & Others
UNDER SECTION : Sec 60(5) (c) of IBC 2016 R/w Rule 11 of NCLT Rules
2016



ORDER

Ld. Counsel Mr. S. Sathiyarayanan for the Applicant/IRP is present. There is no representation for the Respondent.

This application has been filed by the Applicant/IRP seeking a relief for withdrawing the order of his appointment owing to the act of non-cooperation on the part of the Operational Creditor and also not complying with the order of this Tribunal.

The Applicant is also insisting for initiating action against the Operational Creditor for the disobedience in compliance with the order of this Tribunal.

The Applicant is also seeking an Order for compensating to IRP who has spared his time for ten days for processing the case and the same is done as per the directions of this Tribunal.

On hearing the Applicant, it is observed that in spite of receipt of notice, oral communication and message from the IRP, the Operational Creditor did not respond to the IRP and this act shows non-cooperation on the part of the Operational Creditor.

It is also observed that the Counsel for the Operational Creditor is also not appearing before this Forum to inform the status of the progress in respect of complying with the order of this Tribunal.

Hence, the IRP is put to lot of difficulties and inconvenience financially and mentally because of the act of Counsel for the Operational Creditor and not even paid the expenses which the IRP incurred.

Hence, a cost of Rs.1,00,000/- is imposed on the part of the Operational Creditor to be paid to the Applicant/IRP and also a cost of Rs.15,000/- to be paid within ten days from today to ***“Prime Minister’s National Relief Fund”***

and to file proof of the receipt of payment in the Registry before the next date of hearing.

The non-compliance of this direction will be seriously viewed by the Tribunal.

The Registry is directed to follow the compliance of the order and place it on record.

For compliance, list the matter on **20.01.2022**.

-Sd-

B. ANIL KUMAR
MEMBER (TECHNICAL)

-Sd-

Justice (Retd.) S. RAMATHILAGAM
MEMBER (JUDICIAL)

ns