

(2019) 12 NCLT CK 0006
In the National Company Law Appellate Tribunal
Case No : (IB) No. 427(PB) Of 2019

Bharat Gupta

APPELLANT

Vs

Goldstar Impex Pvt. Ltd.

RESPONDENT

Date of Decision : 06-12-2019

Acts Referred:

Insolvency And Bankruptcy Code, 2016 — Section 12, 19(2), 66

Citation : (2019) 12 NCLT CK 0006

Hon'ble Judges : M.M. Kumar, CJ; Santanu Kumar Mohapatra, Member
(Technical)

Bench : Division Bench

Final Decision : Disposed Of

Judgement

CA-2119(PB)/2019

1. An affidavit of service has been filed in respect of the non applicant-respondent. The following status has been furnished:-

S. No

ADDRESSEE

Mode

Tracking No.

STATUS

Date of Delivery

1

Amar Deep Singh Karbla Road, Barmasiya PS- Giridh, Jharkand-815301

Courier

Z06576356 (Original receipt at Page No. (7))

Not Delivered

04.11.19 (Tracking Report at Page No.)

E-mail

amardeepsingh 1984@gmail.com

Delivered

03.12.20 19

2

Deepak Manharlal Shah Shyam, Kunj, Block No 4, Mathuradas Road, Devji Bhimji Lane, Kandivali(w), Mumbai, Maharashtra-400067

Courier

Z06576357 (Original receipt at Page No. (8)

Not Delivered

(Tracking Report at Page No.)

E-mail

Shah97839@gmail.com

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3

Balraj Singh Saini Ward No. 1, Meham District Rohtak, Haryana- 124112

Courier

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(Tracking Report at Page No.)

E-mail

balrajsinghsain i72@gmail.com

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03.12.20 19

4

Ajay kumar House No. 9/15, DLF phase 1, Chakkarpur (74), Bock C, Gurgaon Haryana-122001

Courier

Z06576353 (Original receipt at Page No. (6)

Not Delivered

(Tracking Report at Page No.)

E-mail

ajaykumar45@ gmail.com

Delivered

03.12.20 19

5

Tarsem Lal Arora House No. 11, Park Lane, near Jan Temple, Vasant Kunj, New Delhi-110070

Courier

Z06576351 (Original receipt at Page No. (6)

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(Tracking Report at Page No.)

E-mail

manoj@thegipl.com

Email bounced back

N.A.

6

Sudarshana Arora House No. 11, Park Lane, near Jan

Courier

Z06576352 (Original receipt at Page No. (6)

Delivered

(Tracking Report at Page No.)

temple, Vasant Kunj, New Delhi-110070

E-mail

kantguptataval@yahoo.co.in

Delivered

03.12.20 19

7

Inder House No. 2935, Sector-13, New Housing Board Bhiwani, Haryana-127021

Courier

Z06576361 (Original Receipt at Page No. (9)

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(Tracking Report at Page No.)

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manoj@thegipl.com

Email bounced back

N.A.

8

Tej Bahal U-51/29, U Block, DLF Phase-III, Nathupur(67), Gurgaon, Haryana-122002

Courier

Z06576355 (Original receipt at Page No. (7)

N.A.

(Tracking Report at Page No.)

E-mail

tei844993162 9@gmail.com

Email bounced back

N.A.

9

Manoj Kumar Goel Flat No. 1 B, Anand Niketan Society, Plot No-16, Sector-52, Gurgaon, Wazirabad, Haryana-122003

Courier

Z06576354 (Original Receipt at Page No. (7)

Delivered

(Tracking Report at Page No.)

E-mail

N.A.

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N.A.

10

Sardar Karanbir Singh Kang H. No. 9, Sector-69, Mohali tehsil & District SAS Nagar (Punjab)

Courier

Z06576359 (Original Receipt at Page No. (8)

Not Delivered

(Tracking Report at Page No.)

E-mail

N.A.

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11

Maruti Steel Jati Road, kundli, Haryana-131028

Courier 1

Z06576360 (Original Receipt at Page No. (9)

Not Delivered

(Tracking Report at Page No.)

Fresh Address: 34- B, Phase-IV, Industrial Estate, Kundli, Sonipat, Haryana-131028

Courier 2

V56832194 (Original Receipt at Page No. (10)

(Tracking Report at Page No.)

E-mail

N.A.

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N.A.

Despite service no one had put in appearance on behalf of served respondent on the date fixed i.e. 19.11.2019 or subsequently. Accordingly, we direct that Bailable Warrants be issued to non applicant-respondents-Mr. Amar Deep Singh,

Mr. Deepak Manharlal Shah, Mr. Balraj Singh Saini, Mr. Ajay Kumar, Mr. Tarsem Lal Arora, Ms. Sudarshana Arora & Mr. Manoj Kumar Goel. Their addresses are:-

1. Mr. Amar Deep Singh, Karbla Road, Barmasiya PS-Giridh, Jharkhan-815301
2. Mr. Deepak Manharlal Shah Shyam Kunj, Block No. 4, Mathuradas Road, Devji Bhimji Lane, Kandivali (w), Mumbai, Maharashtra-400067
3. Mr. Balraj Singh Saini Ward No. 1, Meham District, Rohtak, Haryana-124112
4. Mr. Ajay Kumar House No. 9/15, DLF Phase 1, Chakkarpur (74), Block-C, Gurgaon, Haryana-122001
5. Mr. Tarsem Lal Arora, House No. 11, Park Lane, Near Jan Temple, Vasant Kunj, New Delhi-110070
6. Ms. Sudarshana Arora, House No. 11, Park Lane, Near Jan Temple, Vasant Kunj, New Delhi-110070
7. Mr. Manoj Kumar Goel, Flat No. IB, Anand Niketan Society, Plot No. 16, Sector-52, Gurgaon, Wazirabad, Haryana-122003

2. Bailable warrants be issued on the aforesaid persons for a sum of Rs. 25,000/- along with two sureties of an equal amount to ensure their presence in Court and the same be furnished to the satisfaction of the executing officer.

3. The DCP, Delhi, DGP Maharashtra, DGP Jharkhand & DGP Haryana are requested to depute a competent officer having jurisdiction to execute the bailable warrants and the report be submitted three days before the next date of hearing.

4. List for further consideration on 13.01.2020.

CA-2739(PB)/2019

The members of the CoC in the meeting held on 25.11.2019 decided to seek the extension of the Corporate Insolvency Resolution Process period by 90 days beyond 180 days which is expiring on 09.12.2019. The following resolution was passed by the CoC:-

"To discuss and approved the extension of CIRP period 90 days

Resolution Professional informed the COC that due to non-traceability of Directors & Management of Corporate Debtors and non-cooperation by others, 166 days under CIRP is already completed. An application under section 19(2) was filed and order from NCLT is expected to receive on next hearing date i.e. 06th December, 2019 and after that various important information is expected from the respondent. An application under section 66 of IBC 2016 is under preparation and expected to file within 30th November, 2019. In view of the above, application for extension of corporate insolvency period by 90 days as per section 12 of IBC 2016 require to be file by Resolution Professional.

After discussion, COC approved that an application under section 12 of IBC 2016 to be filed to Adjudicating Authority by Resolution Professional."

In view of the aforesaid resolution a case for extension of 90 days period is made out. The prayer made in this application is accepted and the period beyond 180 days is extended for 90 days w.e.f. 09.12.2019.

CA-2739(PB)/2019 stands disposed of.