
(2025) 11 NCLAT CK 0051

In the National Company Law Appellate Tribunal

Case No : Company Appeal (AT) (Insolvency) No. 1641 of 2025

Manoj Kunwar Vs. Yogesh Sethi & Ors., Liquidator for SSMP Industries Ltd. & Anr.

Date of Decision : 03-11-2025

Acts Referred:

Citation : (2025) 11 NCLAT CK 0051

Hon'ble Judges : Ashok Bhushan, Chairperson; Barun Mitra, Member

Bench : Division Bench

Advocate : Sunil Kumar Rai, Ajay Charan, Yogesh Jagia, Nitya Ahuja, Udit Dubey

Final Decision : Dismissed

Judgement

03.11.2025: This Appeal has been filed against the order dated 28.08.2025 passed by the Adjudicating Authority (National Company Law Tribunal) New Delhi Bench, Court-III by which Adjudicating Authority on an application filed by the liquidator has extended the liquidation period from 01.09.2025 to 31.12.2025. The Adjudicating Authority in the order has noticed that e-auction has taken place on 25.07.2025 to liquidate the entire estate of the Corporate Debtor and sometime thus required to complete the process, hence, extension has been granted till 31.12.2025. Aggrieved by the order, this Appeal has been filed.

2. Counsel for the Appellant submits that Appellant has filed an IA No.5634 of 2021 praying for removal of the liquidator which is although pending for more than four years has not yet been considered. It is submitted that the said application was also listed on 30.10.2025 but has now been adjourned to 25.11.2025.

3. Counsel for the Respondent has submitted that application has been adjourned to 25.11.2025 and it is open for the Appellant to press for disposal.

4. Appellant's submission is that the application for removal of the liquidator should be decided at least within the time in which liquidation has been extended.

5. After hearing counsel for the parties, we are of the view that insofar as the order extending liquidation, no error can be found in view of the fact that auction has already been taken place on 25.07.2025 and process has to be taken to complete. Insofar as grievance of the Appellant that his IA No.5634 of 2021 has not yet been heard, the said application is now fixed for 25.11.2025. we are of the view that Adjudicating Authority shall endeavor to dispose of the application on the next date fixed or as early as possible, before completion of the liquidation.

6. With these observations, we dismiss the Appeal.