



**IN THE NATIONAL COMPANY LAW TRIBUNAL  
ALLAHABAD BENCH, PRAYAGRAJ**

***In Re liquidation of Ratandeep Infrastructure Private Limited  
IA No.73/2021 in CP (IB) No.45/ALD/2019***

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- a. Pass an order under section 33(1) of the Insolvency & Bankruptcy Code, 2016 for liquidation of the Corporate Debtor i.e., Ratandeep Infrastructure Private Limited.*
  - b. Pass an order for appointment of present Resolution Professional as liquidator in respect of the Corporate Debtor.*
3. This Adjudicating Authority, *vide* its order dated 16.04.2019 on a Petition filed by Nitin Jain & Anr ('*Financial Creditors*') under section 7 of the Insolvency and Bankruptcy Code, 2016 ('*the Code*'), directed initiation of the Corporate Insolvency Resolution Process ('*CIRP*') against the Corporate Debtor and appointed Mr. Alok Kumar Kuchhal as the Interim Resolution Professional ('*IRP*') who was later confirmed as Resolution Professional ('*RP*'), by the CoC, as recorded by this Adjudicating Authority *vide* Order dated 11.06.2020.
4. RP had carried out the CIRP according to the provisions of IBC and filed progress reports. The Applicant further submits that the CIRP had expired on 13.10.2019, subsequent to which the RP had moved an application for extension of 90 days which was not allowed by this Adjudicating Authority *vide* order dated 07.01.2021.
5. On 28.01.2021, in the 6<sup>th</sup> meeting of the CoC, it was resolved that as there are no possible ways for revival of corporate debtor. Therefore, the CoC with 100% voting share recommended for liquidation of the Corporate Debtor and to appoint Mr. Alok Kumar Kuchhal as liquidator.
6. Hence, the RP has filed the present application under section 33(1) of the Code, before this Adjudicating Authority for liquidation of the Corporate Debtor and appointment of RP as liquidator. The RP has given his consent to act as liquidator which is placed at Pg.29 of the present application. He is stated to have a valid authorization for assignment.
7. This Bench, therefore, hereby orders as follows: -

—Sd—

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- a. Prayers as sought for in I.A.No. 73/2021 filed by Mr. Alok Kumar Kuchhal RP of Ratandeep Infrastructure Private Limited, the Corporate Debtor, is allowed and the Corporate Debtor is ordered to be liquidated in terms of section 33(2) of the Code read with sub-section (1) thereof;
- b. Mr Alok Kumar Kucchal [Reg No IBBI/IPA-002/IP-N00114/2017-18/10284]; Email: [akkuchhal.ip@gmail.com](mailto:akkuchhal.ip@gmail.com); Mobile No.+91-98108 94275, Address: C-154, Sector-51, Noida-201301; whose name has been proposed by CoC is hereby appointed as liquidator as provided under section 34(1) of the Code, in terms of regulation 7A of the Insolvency and Bankruptcy Board of India (Insolvency Professionals) Regulations, 2019.
- c. The Liquidator shall initiate liquidation process as envisaged under Chapter-III of the Code and the Insolvency & Bankruptcy Board of India (Liquidation Process) Regulations, 2016.
- d. Public Notice shall be issued in the same newspapers in which advertisements were issued earlier stating that the Corporate Debtor is in liquidation.
- e. All the powers of the Board of Directors, and of key managerial persons, shall cease to exist in accordance with section 34(2) of the Code. All these powers shall henceforth vest in the Liquidator.
- f. The personnel of the Corporate Debtor are directed to extend all assistance and co-operation to the Liquidator as required by him in managing the liquidation process of the Corporate Debtor.
- g. On initiation of the liquidation process but subject to section 52 of the Code, no suit or other legal proceeding shall be instituted by or against the Corporate Debtor save and except the liberty to the liquidator to institute suit or other legal proceeding on behalf of the Corporate Debtor with prior approval of this Adjudicating Authority, as provided in section 33(5) of the Code read with its proviso.
- h. In accordance with section 33(7) of the Code, this liquidation order shall be deemed to be a notice of discharge to the officers, employees, and workmen of the Corporate Debtor except to the extent of the business of the Corporate Debtor continued during the liquidation process by the Liquidator.

—Sd—

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- i. In terms of section 33(1)(b)(iii), the Liquidator shall file a copy of this Order with the Registrar of Companies, Uttar Pradesh, Kanpur, within whose jurisdiction the Corporate Debtor is registered. Additionally, the Registry shall also forward a copy of this Order to the Registrar of Companies, Uttar Pradesh, Kanpur.
8. The application bearing **IA No. 73/2021** shall stand disposed of in accordance with the above directions.
9. The Registry is directed to send e-mail copies of the order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
10. Certified copy of this order may be issued, if applied for, upon compliance of all requisite formalities.
11. List the main **CP (IB) No. 45/ALD/2019** for reporting progress on **13.04.2022**.

—Sd—

**Balraj Joshi**  
Member (Technical)

*Swati Gupta (LRA)*

**Rajasekhar V K**  
Digitally signed  
by Rajasekhar V K  
Date: 2022.01.31  
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**Rajasekhar V.K.**  
Member (Judicial)