

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 106 of 2020

IN THE MATTER OF:

Nicco Engineering Services Ltd.

...Appellant

Vs.

Vinod Kumar Kothari

...Respondent

Present: For Appellant: - Mr. Shabo Nandy, Mr. Arijit Mazumdar, Mr. Niranjan Bhattacharjee, Ms. Akansha Kaushik and Mr. Devesh Ajmani, Advocates

For Respondent:- Mr. Sudipto Sarka, Senior Advocate with Mr. Anirudh Wadhwa and Mr. Kastikya Asthana, Advocates

O R D E R

05.02.2020— Mr. Shambo Nandy, the Learned counsel appearing on behalf of the Appellant, on instructions from Mr. Kartick Kumar Chatterjee, Authorised Signatory of 'Nicco Engineering Services Ltd.', submits that the Appellant undertakes to vacate the premises. He requests to allow the Appellant to vacate the premises within 90 days' time period.

2. Mr. Sudipto Sarkar, Learned Senior Counsel appearing on behalf of the 'Liquidator' submits that the prayer requested is for a Longer time as the property in question, is under Liquidation which is to be sold immediately.

3. In the circumstances, we allow the Appellant time till 31st March, 2020 to vacate the premises. They are directed to vacate it, failing which

the 'Liquidator' will take the assistance of the 'Local Police' and authorities for immediate vacation of the premises and may also file an 'Application' for initiation of the 'Contempt Proceedings' against Mr. Kartick Kumar Chatterjee, Authorised Signatory and the Directors etc. for non-compliance of the direction passed by this Appellate Tribunal.

In view of the aforesaid order, the Appeal stands disposed of with aforesaid observations and directions.

[Justice S.J. Mukhopadhaya]
Chairperson

(Justice Venugopal M.)
Member(Judicial)

ns/RR