

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 102 of 2020

IN THE MATTER OF:

Punjab National Bank

...Appellant

Vs.

**Mr. Kiran Shah
Liquidator of ORG Informatics Ltd.**

...Respondent

Present: For Appellant: - appeared but not marked appearance.

O R D E R

21.01.2020— In the ‘Corporate Insolvency Resolution Process’ of ‘M/s. ORG Informatics Limited’- (‘Corporate Debtor’), the ‘Committee of Creditors’ of which the ‘Punjab National Bank’ is the lead Bank, decided to move application for liquidation of the ‘Corporate Debtor’.

2. The ‘Resolution Professional’ was asked to move an application for liquidation under Sections 33 & 34 of the Insolvency and Bankruptcy Code, 2016. The said application has been accepted by the Adjudicating Authority (National Company Law Tribunal), Ahmedabad Bench, Ahmedabad by impugned order dated 20th November, 2019. The ‘Resolution Professional’ has been asked to continue as Liquidator.

3. The grievance of the Appellant is that he is against the appointment of the Liquidator. However, we are not inclined to interfere with the

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impugned order as after the liquidation the 'Committee of Creditors' has no role to play and they are simply a claimant whose matters are to be determined by the Liquidator and cannot move an application for removal of Liquidator in absence of any provisions under the law.

We find no merit in this appeal. It is accordingly dismissed. No costs.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

(Justice Anant Bijay Singh)
Member(Judicial)

Ar/RR