

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 311 of 2019**

**IN THE MATTER OF:**

**Regional Provident Commissioner – I,  
Tirunelveli**

**...Appellant**

**Versus**

**G. Gunasekaran & Ors.**

**...Respondents**

**Present:**

**For Appellant :           Mr. Manish Dhir, Advocate**

**For 1<sup>st</sup> Respondent:    Mr. Ravi Raghunath, Advocate &  
                                  Mr. G. Gunasekaran, Liquidator**

**O R D E R**

**05.09.2019**           Learned counsel for the Respondent – ‘Mr. G. Gunasekaran’ submits that the entire amount of Rs. 75,23,608.40 has been deposited with the ‘Regional Provident Commissioner-I’, Tirunelveli on 28<sup>th</sup> August, 2019. Learned counsel for the Appellant accepted the same. Respondent may file compliance report in the course of the day.

In view of the aforesaid position no further order is required to be passed except to say that the Adjudicating Authority will decide as to which authority is eligible to receive the amount of Rs. 75,23,608.40, which is now kept in the custody of the ‘Regional Provident Commissioner-I’, Tirunelveli for the present.

Hence the matter is remitted to the Adjudicating Authority (National Company Law Tribunal), Chennai to give hearing to the Appellant; the ‘Regional Provident Commissioner-I’, Tirunelveli; Respondents including ‘Employees State Insurance Corporation’ and other creditors and decide as to which

Authority/creditor is entitled for the said amount uninfluenced by order passed by the Adjudicating Authority or this Appellate Tribunal. It will be also open to the aggrieved person to move against such order in appeal.

The appeal stands disposed of. No costs.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice A.I.S. Cheema ]  
Member (Judicial)

[ Kanthi Narahari ]  
Member (Technical)

/ns/gc