

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

**I.A. No. 2664 & 2665 of 2020**

**In**

**Company Appeal (AT) (Insolvency) No. 612 of 2019**

**IN THE MATTER OF:**

**Andhra Bank**

**...Applicant.**

**Versus**

**Sterling Biotech Limited  
(Through Liquidator) & Ors.**

**...Respondents.**

**Present:**

**For Appellant: Mr. Rohan Aggarwal and Mr. Ayush Aggarwal  
(Applicants) and Mr. A.K. Mishra, Advocates.**

**For Respondent: Mr. Devansh Jain, Liquidator.  
Ms. Saloni Kothari, RP  
Mr. Ayush J Rajani, For RP (PCA)**

**ORDER  
(Virtual Mode)**

**23.02.2021** Learned Counsel for the Applicant submits that the Hon'ble Supreme Court of India has yesterday passed Orders and by the Orders, the further extension of time sought on behalf of the Corporate Debtor was declined and the effect is that as per Orders dated 18<sup>th</sup> November, 2019 (Annexure A-2) of this Tribunal the Liquidation stands restored.

2. Learned Counsel for Applicant submits that in the Order dated 28.08.2019 (Annexure A-1) Paragraph 21 there was direction regarding the payment of fees of the Liquidator also. The Learned Counsel states that this issue was not carried by anybody to the Hon'ble Supreme Court of India and he is seeking modification limited to this issue, now as the Liquidation has been restored. The Learned Counsel submits that the Liquidator would be entitled to fees as per provisions of the I&B Code, 2016 and Committee of Creditors would no more be there.

3. Learned Counsel for the Liquidator submits that he may be given a copy of the Application for modification. The Learned Counsel for the Applicant to share the copy of the Application bearing No. 2664 and 2665 of 2020 with the Learned Counsel for the Liquidator.

4. The Learned Counsel for the Applicant should file copy of the Orders passed by the Hon'ble Supreme Court of India along with brief Written-Submissions as being made within a week. Learned Counsel for the Liquidator should file Response to the Application to this extent with regard to the Paragraph 21 of the Order dated 28.08.2019 and file his brief Written-Submissions also within a week.

List the Application in Orders category **on 04<sup>th</sup> March, 2021.**

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

**[Kanthi Narahari]**  
**Member (Technical)**

**[Dr. Alok Srivastava]**  
**Member (Technical)**

Basant B./md.