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

Vs.

G. Gunasekaran & Ors.

...Respondents

Present: For Appellant: - Mr. Manish Dhir, Advocate.

For Respondents: - Mr. Abhishek Kaushik and Mr. G. Gunosokaran, Liquidator.

ORDER

26.08.2019— Learned counsel appearing on behalf of the Liquidator submits that the Appellant has deposited the amount in a separate interest bearing account and wanted to give certain reasons. However, we are not inclined to accept such submissions in view of our order dated 6th August, 2019 where we have noticed that the Liquidator is agreeable to deposit the whole Provident Fund amount with the concerned Regional Provident Fund Commissioner. We may hear the Liquidator on merits with regard to other issues.

So far as the last part of the order dated 6th August, 2019 being contradictory to the first part of the order and tenor of our earlier directions, we recall the last part of the order dated 6th August, 2019 and direct the Liquidator to deposit the Provident Fund amount in the

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account of the concerned Regional Provident Fund Commissioner within a week.

Post the case 'for orders' on 5th September, 2019.

(Justice S.J. Mukhopadhaya) Chairperson

> (Justice A.I.S. Cheema) Member(Judicial)

> > (Kanthi Narahari) Member(Technical)

Ar/g