

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

COURT-III

Item No.-102

New IA-3368/2021 IA-2462/2021 IA-2128/2021 IA-2180/2021 IA-2183/2021 IA-2219/2021
IN
IB-876(ND)/2020

IN THE MATTER OF:

Dhankalash Distributors Pvt. Ltd.

Vs.

Piyush IT Solutions Pvt. Lrd.

....FINANCIAL CREDITOR

....CORPORATE DEBTOR

SECTION

U/s 7 IBC code 2016

Order delivered on 05.08.2021

CORAM:

SHRI. P.S.N PRASAD

MEMBER (JUDICIAL)

SHRI NARENDER KUMAR BHOLA

MEMBER (TECHNICAL)

PRESENT:

For the Appellant : Mr Utkarsh Joshi, Adv along with Mr Shrey Pattnaik, Adv Mr.
Rajnish Sinha and Ms. Shreya Kohli, Advocate

For the CD : Mr. Abhay Kaushik, Advocate for Respondent No. 11 and 12

ORDER

This Tribunal approves the appointment of Mr. Ayyagari Viswandha Sarma. Further the Counsel for IBBI has also confirmed the clearance of IBBI for appointment of Mr. Ayyagari Viswandha Sarma (IBBI/IPA-001/IP-P01524/2018-19/12396). The Counsel for the IBBI has also submitted that IBBI's confirmation was sent to R.P. in the matter. The Court Officer may send E-communication to him to take up the assignment of R.P.

New IA-3368/2021

Heard the submissions made by the Counsel for the Applicant (Noida Authority). The Counsel is permitted to amend the Application and serve an advanced copy of the Application on the newly included parties and also the memo of parties within two weeks. Post this matter after three weeks.

List the matter on 25.08.2021.

IA-2468/2021

Heard the submissions made by the Counsel for the IRP as well as Respondent Nos. 11 and 12. Serve notice again R-1 to R-10 and post this matter after three weeks.

List on 25.08.2021.

IA-2128/2021

Heard the submissions made by the Counsel for the Applicant. The Counsel for the Applicant has submitted that this is an Application filed under Section 60 (5) read with Section 27 of I.B. Code 2016 read with Rule 11 of NCLT Rules, 2016.

The Counsel for the Applicant has prayed for the appointment of Resolution Professional to be put on vote before the CoC or in the alternative, Mr. Ayyagari Viswandha Sarma be appointed as Resolution Professional in the CIRP by this Tribunal. Since the Tribunal has already passed an order appointing Mr. Ayyagari Viswandha Sarma, this Application has now become infructuous. Therefore, the same is **dismissed**.

IA-2180/2021

This is an Application under Section 60 (5) read with Section 12 (2) of I.B. Code, 2016 for extension of CIRP by 90 days. We have heard the submissions made by the Counsel for the Applicant and now this Application has become infructuous. Therefore, the same is **dismissed**.


IA-2183/2021


Heard the submissions made by the Counsel for the Applicant. This is an Application on behalf of Applicant - Dhankalash Distributors Pvt. Ltd. under Section 60 (5) of I.B. Code, 2016 read with Rule 11 of NCLT Rules, 2016.

Having heard the submissions made by the Counsel and having perused the contents of the prayer, this Application has now become infructuous. Therefore, the same is dismissed.

IA-2219/2021

Heard the submissions made by the Counsel for the Applicant. This Application is mainly regarding exclusion as well as extension of time. The Counsel has submitted that in view of the appointment new R.P, they are not parties to this Application. Therefore, the same is treated as not pressed.


(NAKENDER KUMAR DROGA)
MEMBER (TECHNICAL)


(P.S.N PRASAD)
MEMBER (JUDICIAL)

Jyoti

Court - III
05.8.21