

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 2

IA No. 532/23

And

CP (IB) No. 585/Chd/Pb/2019

IN THE MATTER OF:

Vikram Thaman & Ors

...Petitioners/ Financial Creditors

Vs.

Yee Bee Gee Infrastructure Pvt. Ltd.

...Respondent/ Corporate Debtor

Under Section: 7, IBC 2016, Rule 11 of NCLT, 2016

Order delivered on 15.05.2024

CORAM:

SH. L. N. GUPTA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner and Respondent
In IA No. 532/2023

: Mr. V.K. Mahajan, Advocate

For the Respondent and applicant
In IA No. 532/2023

: Mr. Karanveer Jindal, Advocate

ORDER

IA No. 532/2023

The present application has been filed under Rule 11 of the NCLT Rules 2016 for rejection of rejoinder filed by the Financial Creditors. It is stated by learned counsel for the applicant that the rejoinder has been signed by only one Financial Creditor i.e. Mr. Vikram Thaman and not by all the Financial Creditors, therefore, it cannot be taken on record.

On repeated questions, learned counsel for the petitioner could not show the valid authority to file rejoinder on behalf of all the 39 applicants. He, however, referred to an authority letter filed in reply of IA No. 532/2023 at page no .10 Annexure

R-1 in which there are only signatures of 39 applicants including Mr. Vikram Thaman and that is also a photocopy. Moreover, it is not verified either by Oath Commissioner or Notary Public, therefore, the same cannot be entertained. Keeping in view the facts and circumstances mentioned in the application and that Mr. Vikram Thaman is not authorized by 38 applicants, IA No. 532/2023 is **allowed** and the rejoinder filed in main CP bearing Diary No. 0399/3 dated 12.10.2022 is hereby rejected and kept out from the pleadings on record. Thus, IA No. 532/2023 is **disposed of accordingly**.

CP (IB) No. 585/Chd/Pb/2019

Learned counsels for the parties are directed to file short synopsis along with supporting judgments, if any, within three days.

Remaining arguments heard. **Order reserved.**

-sd-
(L. N. GUPTA)
MEMBER (T)

-sd-
(HARNAM SINGH THAKUR)
MEMBER (J)

SM