

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

Item No. 11

IA(IBC)(PLAN)/6 (CH) 2024  
IA(IBC) Nos. 2105(CH) 2023, 2479(CH) 2023, 2209(CH) 2023,  
2191(CH)2023, 694 (CH)2024, 696 (CH)2024, 699 (CH)2024,  
700 (CH)2024, 701 (CH)2024, 729 (CH)2024, 730 (CH)2024,  
734 (CH)2024, 1068 (CH)2024, 1148 (CH)2024, 1149 (CH)2024,  
693 CH)2024, 777 (CH)2024, IA No. 425/2024,  
CP(IB) No. 248/Chd/Chd/2019  
(Admitted)

**IN THE MATTER OF:**

Kone Elevator India Pvt. Ltd.

...Petitioner

Vs.

Chandigarh Overseas Pvt. Ltd.

...Respondent

**Under Section:** 9, IBC 2016, Sec 30, Sec 60(5), Rule 11 of NCLT, 2016,13(1)(c)(b)  
19(2), R 13(1C), Sec 43(1) r/w Sec 44 (1),

**Order delivered on 09.05.2024**

**CORAM:**

**SH. UMESH KUMAR SHUKLA**  
**HON'BLE MEMBER (T)**

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

**PRESENT:**

For the Applicant in IA  
Nos. 2105/2023,  
2209/2023, 2191/2023,  
694/2024,696/2024

: Mr. Alok Jagga with Mr. APS Madaan,  
Advocates

For the Applicant in IA  
No.1148/2024

: Mr. Karanveer Jindal, Advocate

For the Applicant in IA  
No.699/2024

:None

For the RP in IA No.6/2024,  
2105/2023, 694/2024, 696/2024,  
2209/2023,729/2024, 425/2024,  
734/2024, 699/2024,1068/2024,

730/2024, 700/2024, 701/2024 : Mr. Atul V Sood, Advocate  
For IA No.2479/2023 : Mr. Ashwani Sharma proxy counsel for Mr.  
Harsh Garg, Advocate

## **ORDER**

### **IA(IBC)(PLAN) 6/2024**

This application has been filed for approval of the Resolution Plan. convenience performa has been filed vide Diary No.1213/1 dated 02.05.2024. The same is taken on record. List the matter before the regular Bench on 04.07.2024.

### **IA(IBC) No. 2105(CH) 2023**

The updated reply has been filed by respondent No.1-RP vide Diary No.2967/11 dated 15.01.2024. The same is taken on record. Pleadings are complete. List the matter for arguments on 04.07.2024.

### **IA No. 2479(CH) 2023**

Pleadings in this application are complete. List the matter for arguments on 04.07.2024.

### **IA No. 2209(CH) 2023**

This application has been filed by the applicant to place on record some documents for adjudication of IA No.2105/2023. The same are taken on record subject to such exceptions. This application is supported by an affidavit. IA No.2209/2023 is ***disposed of***, however, the same be tagged with IA No.2105/2023 for reference purpose.

### **IA No. 2191(CH)2023**

This application has been filed by suspended Director and the reply has been filed by RP. It is stated by Ld. Counsel for applicant that on instructions he may be permitted to withdraw the present application. Keeping in view the statement made by Ld. Counsel for applicant, IA No.2191/2023 is ***dismissed as withdrawn***.

**IA(IBC) No. 729 (CH)2024**

It is stated by Ld. Counsel for applicant in IA No.729/2024 that on instructions he may be permitted to withdraw the present application. Keeping in view the statement made by Ld. Counsel for applicant, IA No.729/2024 is ***dismissed as withdrawn.***

**IA No.425/2024**

This application has been filed by RP under Section 13(1C)(b)(ii) of the Insolvency Resolution Process for Corporate Persons Regulations, 2016 seeking submission of claim for condonation of delay towards the claim filed beyond 90 days from the commencement of the Resolution process. It is stated by learned counsel for the RP that the CoC has considered the same and voted in favour of the same. Keeping in view the facts and circumstances, the delay is hereby condoned and IA No. 425/2024 is ***allowed and disposed of accordingly.***

**IA(IBC) No. 734 (CH)2024**

This application has been filed by RP under Section 13(1C)(b)(ii) of the Insolvency Resolution Process for Corporate Persons Regulations, 2016 seeking submission of claim for condonation of delay towards the claim filed beyond 90 days from the commencement of the Resolution process. It is stated by learned counsel for the RP that the CoC has considered the same and voted in favour of the same. Keeping in view the facts and circumstances, the delay is hereby condoned and IA No. 734/2024 is ***allowed and disposed of accordingly.***

**IA No. 694 (CH)2024**

This application has been filed by the applicant for admission of his claim as creditor in class and later on change to creditor (related party). Mr. Atul V. Sood is ready to accept the notice on behalf of RP and seeks time to file reply. Let the same

be filed within two weeks with a copy in advance to the counsel opposite. List the matter on 04.07.2024.

**IA No. 696 (CH)2024**

This application has been filed for setting aside communication dated 18.10.2023 whereby the RP/Respondent has admitted the claim of the applicant in the category of "Other Creditor (Related Party)" Heard. Issue notice of this application to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

Reply be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed within two weeks thereafter with a copy in advance to the counsel opposite.

List on 04.07.2024.

**IA No. 699 (CH)2024**

Heard. Issue notice of this application to the Respondent. Mr. Atul V Sood, Advocate on behalf of RP is ready to accept notice and seeks time to file reply. Let the

same be filed within two weeks with a copy in advance to the counsel opposite. List the matter on 04.07.2024.

**IA(IBC) No. 700 (CH)2024**

This application has been filed under Section 19(2). Heard. Issue notice of this application to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

Reply be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed within two weeks thereafter with a copy in advance to the counsel opposite. List on 04.07.2024.

**IA(IBC) No. 701 (CH)2024**

This application has been filed under Section 66(1). Heard. Issue notice of this application to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

Reply be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite. List on 04.07.2024.

**IA(IBC) No. 730 (CH)2024**

This application has been filed to place on record the report certifying the constitution of the CoC. The same is taken on record subject to just exceptions. Thus, IA No. 730/2024 is ***disposed of accordingly.***

**IA(IBC) No. 1068 (CH)2024**

This application has been filed under Section 43(1) r/w Sec 44(1) by the RP. Heard. Issue notice of this application to the Respondent. Mr. Atul V Sood, Advocate on behalf of RP is ready to accept notice seeks time to file reply. Let the same be filed within two weeks with a copy in advance to the counsel opposite. List the matter on 04.07.2024

**IA(IBC) No. 1148 (CH)2024**

This application has been filed under Section 60(5) regarding the claim partly accepted and change the category of claim from financial creditor to operational creditor and related party. Heard. Issue notice of this application to the Respondent. Mr. Atul V Sood, Advocate on behalf of RP is ready to accept notice seeks time to file

reply. Let the same be filed within two weeks with a copy in advance to the counsel opposite. List the matter on 04.07.2024

**IA(IBC) No. 1149 (CH)2024,**

This application has been filed to place on record the progress report for the period from 01.03.2024 to 31.03.2024. The same is taken on record subject to just exceptions. Thus, IA No. 1149/2024 is ***disposed of accordingly.***

**IA(IBC) No. 693 (CH)2024**

This application has been filed to place on record the progress report for the period from 01.01.2024 to 31.01.2024. The same is taken on record subject to just exceptions. Thus, IA No. 693/2024 is ***disposed of accordingly.***

**IA(IBC) No. 777 (CH)2024**

This application has been filed to place on record the progress report for the period from 01.02.2024 to 29.02.2024. The same is taken on record subject to just exceptions. IA No. 777/2024 is ***disposed of accordingly.***

-Sd/-  
**(UMESH KUMAR SHUKLA)**  
**MEMBER (T)**

-Sd/-  
**(HARNAM SINGH THAKUR)**  
**MEMBER (J)**

Pooja