

IN THE NATIONAL COMPANY LAW TRIBUNAL
SPECIAL BENCH, NEW DELHI

C.P. No. IB- 1211(PB)/2019

IN THE MATTER OF:

S.P. Trading Company
Vs
Him Steel Private Ltd.

....Petitioner

.... Respondent

SECTION: Under Section 9 of the Insolvency and Bankruptcy Code, 2016

Order delivered on 15.07.2019

Coram:

CHIEF JUSTICE (RTD.) M.M. KUMAR
Hon'ble President

DR. DEEPTI MUKESH
Hon'ble Member (Judicial)

PRESENTS:

For the Petitioners : Mr. Vishal Sharma and Mr. Chaitanya Sahoo, Advs.
For the Respondent : Ms. Garima Sharma, Adv.

ORDER
M.M. KUMAR, PRESIDENT

This order shall dispose of (IB)-1211(PB)/2019.

The necessity of going into the merit of the claim made by the petitioner in above mentioned petition is obviated because against the Corporate Debtor we have admitted another petition namely Syndicate Bank vs. Him Steel Pvt. Ltd. [(IB)-494(PB)/2019] vide order dated 15.07.2019. As per the provisions of Section 11 of the Insolvency and

Bankruptcy Code, 2016 another Corporate Insolvency Process cannot be initiated against a corporate debtor that is undergoing a corporate insolvency resolution process. However, it is needless to mention that the petitioners would be entitled to file their claims before the Insolvency Professional namely CA Reshma Mittal (Registration number IBBI/IPA-001/IP-P00297/2017-18/10541) with the address C-51, RDC, Raj Nagar, Ghaziabad - 201002, Mobile No. 8860441411 and E-mail-id careshmamittal@gmail.com. in accordance with law which shall be duly considered.

The office is directed to communicate a copy of the order to the Interim Resolution Professional, Financial Creditors and the Corporate Debtor immediately.

The above mentioned petition is disposed of in the above terms.


(M.M. KUMAR)
PRESIDENT


(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)

15.07.2019
(Vidya)