

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 114
(IB)-1371(PB)/2019

IN THE MATTER OF:

Corporation Bank Applicant / petitioner
v.
M/s. Hythro Power Corporation Ltd. Respondent

Under Section 7 of Insolvency & Bankruptcy Code, CIRP

Order delivered on 16.07.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

SH. S. K. MOHAPATRA
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant Ms. Ekta Choudhary, Adv.

ORDER

Against the same corporate debtor, a petition under Section 9 of Insolvency and Bankruptcy Code, 2016 has already been admitted by this bench namely Grid Infratech Private Limited. v. M/s. Hythro Power Corporation Limited, [(IB)-1064(PB)/2018] vide order dated 12.06.2019. As per the provisions of Section 11 of the 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 add that the petitioners would be entitled to file their claim before the Insolvency Professional namely Mr. Jyoti Ranjan Tarafdar, Registration No. IBBI/IPA-001/IP01000/2017-18/11647 having office situated at A-1/25, 1st floor, Mahavir Enclave, Part-1, Main Palam Dabri Road, Above Bank of Baroda, New Delhi-110045 with Email Id:





ca.jyotirarijan101@gmail.com in accordance with law which shall be duly considered.

It is made clear that if for any reason the Appellate Tribunal sets aside in the order dated 12.06.2019 then the petitioner shall be entitled to file appropriate application for revival of the petition or file a fresh petition.

The petition is dismissed as having been rendered infructuous with liberty in terms of the order.

Sd/-

(M.M.KUMAR)
PRESIDENT

Sd/-

(S. K. MOHAPATRA)
MEMBER (TECHNICAL)