

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 30
(IB)-1504(PB)/2019

IN THE MATTER OF:

Corporation Bank	...	Applicant/Petitioner
Vs		
Patna HighwayProjects Ltd	...	Respondent

Order under Section 7 of the Insolvency & Bankruptcy Code, 2016(CIRP).

Order delivered on 09.07.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Petitioner	:	Mr. P. Nagesh, Sr. Adv., Mr. Saurav Sapra, Mr. Akshay Sharma, Advocate in IA-5000/2023
For Respondent	:	Mr. Arun Kathpalia, Mr. Pratee Kumar, Ms. Raveena Rai, Ms. Moha Paranjpe, Advs. in IA-1504/2019 & IA-5000/2023 for R-6 (SRA)
For the CoC	:	Mr. Samar Bansal, Mr. Kaustubh Chaturvedi, Advs.
For the ERP	:	Mr. Kirshnendu Dutta, Sr. Adv. Ms. Pooja Mahajan, Ms. Mahima Singh, Mr. Karan Vir Khosla, Mr. Rahul Gupta, Advs.

ORDER

IA-5000/2023

1. At request for petitioners, the matter was passed over in the morning and called over again in the afternoon.
2. There are two batch of lawyers on record for Applicant/Petitioner one has filed IA-5000/2023 which was dismissed on 06.02.2024. However, Restoration Application no. 17/2024 which was allowed vide order dated 22.04.2024 was filed by another set of lawyers without the consent of the one who filed the earlier Vakalatnama. Hence there is confusion who is the counsel on Vakalatnama.

3. The case is not being properly represented by either of the two batch of lawyers who have filed the Vakalatnama. There is a deliberate delay by applicants and an unnecessary delay has caused the respondents grave prejudice and they plead for cost. Applicant/petitioner has to be clear which set of advocates will represent the case.
4. An opportunity is given to either of the batch of lawyers who filed Vaklatnama to seek clarification as to who will retain the case and instruct the senior counsel and argue the matter on 15.07.2024.
5. For causing this undue delay and confusion petitioner will have to suffer cost. Accordingly, a cost of Rs. 50,000/- (Rupees Fifty Thousand only) is imposed to be paid in the Prime Minister National Relief Fund (PMNRF) before the next date of hearing.
6. List the matter **on 15.07.2024 at 3:30 PM.**

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**(RAMALINGAM SUDHAKAR)
PRESIDENT**

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**(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)**

Dipak – 09.07.2024