

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

ITEM No. 210
(IB)-1826(PB)/2019

IN THE MATTER OF:

Fedex Express Transportation & Supply Chain Services India Pvt. Ltd.
..... Applicant/petitioner
Vs.
Cargo Planners Ltd.
..... Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 08.08.2019

Coram:

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

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

PRESENT:

For the Applicant: Mr. Abhishek Singh, 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 S.A Consultants & Forwarders Pvt. Ltd. v. Cargo Planners Limited, [(IB)-867(PB)/2019] pronounced today (08.08.2019). As per the provisions of Section 11 of the Code, 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. Ashok Kumar Juneja, with registration number IBBI/IPA-002/IP-N00117/2017-18/10286, email-id ashokjuneja@gmail.com and



address 1203-1205, Vijaya Building, 17 Barakhamba Road, Connaught Place, New Delhi-110001 in accordance with law which shall be duly considered.

It is made clear that if for any reason the Appellate Tribunal sets aside the order dated 08.08.2019 then the petitioner shall be entitled to file appropriate application for revival of the petition or file a fresh petition.

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



(M.M.KUMAR)
PRESIDENT



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)