

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**SPECIAL BENCH**

**ITEM No. 03**  
**(IB)-2102(PB)/2019**

**IN THE MATTER OF:**

M/s. Indian Agency

.... Applicant/petitioner

v.

Indirapuram Habitat Centre Pvt. Ltd.

.... Respondent

**Order under Section 9 of Insolvency & Bankruptcy Code, 2016**

**Order delivered on 05.09.2019**

**Coram:**

**DR. DEEPTI MUKESH**  
**HON'BLE MEMBER (JUDICIAL)**

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

**PRESENTS:**

For the Petitioner

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For the Respondent

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**ORDER**

In respect of the same corporate debtor, a petition under Section 7 of Insolvency and Bankruptcy Code, 2016 has already been admitted in the matter of Diamond Traexim Private Limited v. Indirapuram Habitat Centre Pvt. Ltd., [(IB)-1397(PB)/2019] vide order dated 22.08.2019. 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 mention that the petitioner would be entitled to file its claim before the Insolvency Professional namely Mr. Pawan Kumar Goyal, with the address 304 D R Chamber, 12/56 D B Gupta Road, Karol Bagh, New Delhi-110005 having Email Id – ca.pawangoyal@gmail.in, Registration No.



IBBI/IPA-001/IP-P00875/2011-18/11473 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 22.08.2019 then the petitioner shall be entitled to file appropriate application for revival of the petition or file a fresh petition.

The petition is dismissed being rendered infructuous with liberty in terms of the order.



**(S. K. MOHAPATRA)**  
**MEMBER (TECHNICAL)**



**(DR. DEEPTI MUKESH)**  
**MEMBER(JUDICIAL)**

05.09.2019  
Ritu Sharma