

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT - II)

Item No. 211
(IB)-2240(ND)2019
IA-1175/2022, IA-1552/2022

IN THE MATTER OF:

M/s. Hi Tech Resource Management Limited ... **Applicant/Petitioner**

Versus

M/s. Overnite Express Limited ... **Respondent**
Under Section: 7 of IBC, 2016 (CIRP)

Order delivered on 05.12.2022

CORAM:

SHRI ASHOK KUMAR BHARADWAJ,
HON'BLE MEMBER (J)

SHRI. L.N. GUPTA,
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Mr. Rahul Tyagi, Advocate in IA No.1552 of 2022.
For the RP : Mr. Abhishek Parmar, Adv.
For the SRA : Mr. Rohit Gandhi & Ms. Hargun Singh

ORDER

IA-1175/2022: Heard the Ld. Counsel appearing for the RP on the present application seeking approval of Resolution Plan submitted by the Ex-Promoter being MSME. While going through the application, we find that the Certificate of the Successful Resolution Applicant being an MSME duly certified by the Director of the Industries to the Govt. and the voting sheet (approving the plan) duly signed by the members of the CoC are not attached with the application. RP is directed to ensure filing up both these documents by way of an additional affidavit within a week, as a last chance. List on 21.12.2022.

IA-1552/2022: Partly heard the Ld. Counsel appearing for the Applicant/Deutsche Bank. Ld. Counsel submits that the loan amount of Rs.24,22,88,037/- consists of the loan availed by the Company as well as Guarantors. For recovery of their loan against the Guarantors, they have proceeded under the SARFAESI Act, 2002. For the loan against the company, they are agreeable to reduce the quantum of loan. At this stage, he seeks time to seek instructions from their client. List on 21.12.2022.

General : RP is directed to file the list of all pending IAs before the next date. The Court officer will also check and list all the pending IAs on 21.12,2022.

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(L.N. GUPTA)
MEMBER (T)

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(ASHOK KUMAR BHARADWAJ)
MEMBER (J)