

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT-VI

Item No. 102
IB-2340(ND)/2019
IA/2338/2024

IN THE MATTER OF:
M/s. Pooja Finelease Ltd.

...PETITIONER

Vs

M/s. Auto Needs (India) Pvt. Ltd.

...RESPONDENT

Section
U/s 7 of IBC, 2016

Order delivered on 14.05.2024
Hybrid Hearing (PHYSICAL & VC)

Coram:
SHRI MAHENDRA KHANDELWAL, HON'BLE MEMBER (JUDICIAL)
SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:
For the Petitioner/Financial Creditor :
For the Respondent/Corporate Debtor :

ORDER

IA/2338/2024

This is an application filed under Rule 11 of the NCLT Rule, 2016 seeking early hearing of IA/1542/2024 which is an application for appointment of new IRP.

Heard the Ld. Counsel on behalf of the Applicant. In view of the facts and circumstances of the case and keeping in view the urgency in the matter, we take up the IA/1542/2024 for hearing today itself, the present IA is **allowed.**

IA/1542/2024

This is an application filed on behalf of the Financial Creditor for appointment of IRP in terms of Section 16 of the IBC, 2016 read with Rule 11 of the NCLT Rule, 2016.

Heard the Ld. Counsel on behalf of the Applicant. It was submitted that previous Adjudicating Authority had admitted Section 7 filed by the Applicant

and had appointed, Mr. Vinay Kumar Jairath as IRP. However, the said order was assailed before the Hon'ble NCLAT and the Hon'ble NCLAT vide final order dated 10.04.2024 in Company Appeal (AT) (Ins) No. 152/2020 has dismissed the appeal filed against the order admitting Section 7 petition. Ld. Counsel on behalf of the Applicant submitted that the IRP who was appointed by this Adjudicating Authority has no valid AFA as now. As he has attained the age of 70 years. In view of this the Applicant has now proposed, Ms. Rashmi Mintri IBBI Registration No. IBBI/IPA-001/IP-P00708/2017-2018/1185 as the IRP.

The written consent and valid AFA of the proposed IRP has also been filed. In view of the facts and circumstances of the case, we hereby appoint by Ms. Rashmi Mintri as IRP details of whom are given above.

She will perform the functions of the IRP/RP as provided in the IBC and regulations made thereunder. The previous IRP is also directed to hand over all the documents and material available with him to the newly appointed IRP. The copy of this order be sent to the previous IRP, newly appointed IRP and the IBBI for information. With these observations present IA is **disposed off**.

Sd/-
(Rahul Bhatnagar)
Member (T)

Sd/-
(Mahendra Khandelwal)
Member (J)