

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
SPECIAL BENCH

ITEM No. 06
(IB)-2580(PB)/2019

IN THE MATTER OF:

M/s. Stellar Corporation
v.

.... Applicant/petitioner

M/s. Sumanglam Impex Pvt. Ltd.

.... Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 16.10.2019

Coram:

DR. DEEPTI MUKESH
HON'BLE MEMBER (JUDICIAL)

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

PRESENTS:

For the Petitioner
For the Respondent

Ms. Namita Jose, Adv.

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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 Jasch Industries Limited v. Sumanglam Impex Private Limited, [(IB)-1632(PB)/2018] vide order dated 12.04.2019. 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. Sanyam Goel, having Registration No. IBBI/IPA-002/IP-N00138/2017-18/100397 which shall be duly considered in accordance with law.

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

Sd/-

(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

16.10.2019
Ritu Sharma

Sd/-

(DR. DEEPTI MUKESH)
MEMBER(JUDICIAL)