

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

(IB)-04(PB)/2019

IN THE MATTER OF:

Tirupati Build-Con Pvt. Ltd.

.... Applicant/petitioner

Vs.

VIL Ltd.

.... Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 19.03.2019

CORAM:

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

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

For the Petitioner/Applicant: Mr. Riesh R. Mahajan, CS with Mr. Pankaj Bhagat,
Mr. Sadre
Alam, Advs.
For the respondent: Mr. Saurabh Kalia, Mr. Palash Agarwal, Advs.

ORDER

Against the same corporate debtor, a petition under Section 7 of Insolvency and Bankruptcy Code, 2016 has already been admitted by this bench namely ICICI Bank Ltd. v. VIL Limited, [(IB)-1581(PB)/2018] pronounced today. 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 add that the petitioners would be entitled to file their claim before the Insolvency Professional namely Shri Vijender Sharma, Registration No. IBBI/IPA-003/ IP-P00003/2016-17/10022 with

address C/o, VRSA Insolvency Professionals LLP Building No. 11,
3rd Floor, Hargobind Enclve, Vikas Marg, Delhi-110092 in
accordance with law which shall be duly considered.

It is made clear that if for any reason the Appellate Tribunal
set aside in the order dated 19.03.2019 then the petitioner shall
be entitled to file appropriate application for revival of the petition
or file a fresh petition.

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

Sd/-

(M. M. KUMAR)
PRESIDENT

Sd/-

(S.K. MOHAPATRA)
MEMBER (TECHNICAL)