

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

ITEM No. 322
IA-2434/2024, IA-2409/2021
In IB-622(ND)/2018

IN THE MATTER OF:

M/s. Sunflag Iron & Steel CO. Ltd. Petitioner/Applicant

Vs.

M/s. Rajat Wires Pvt. Ltd. Respondent

Order under Section 9 of the Insolvency and Bankruptcy Code, 2016.

Order delivered on 10.07.2024

CORAM:

SHRI BACHU VENKAT BALARAM DAS

HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI

HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For Applicant :

For the RP : Mr. Abhishek Gupta, Adv.

ORDER

IA-2409/2021

We make it very clear that no adjournment will be granted on the next date of hearing to either of the parties and the matter will be heard and decided on the basis of the records in case no arguments are advanced by the parties.

List the matter for arguments **on 01.08.2024.**

IA-2434/2024

This application has been filed by the Resolution Professional under Section 154 seeking the rectification of order dated 24.12.2021.

We may mention that on 24.12.2021 the following order was passed in IA-5853/2021:-

“Counsel for the Resolution Professional is present and submits that inadvertently, the particulars of this

petition have been mentioned as “Status Report” under CIRP regulations instead of the same being as:

“The application under section 43, 49, 66 of IBC, 2016 Read with Rule 11 of the NCLT rules, 2016”

And seek orders of this Tribunal to amend the same.

The prayer as above is Granted and the Counsel is directed to do the needful within a week's time.

Consequently, the IA is disposed of.

List the Matter on 11.01.2022”

Ld. Counsel appearing for the Applicant has submitted that this Adjudicating Authority has passed an order vide order dated 24.12.2021 in IA-5853/2021 granting liberty to the Applicant to amend the application, however, inadvertently the said application was disposed of and therefore, the Applicant could not take steps for complying with the said order.

Be that it may, having regard to the facts and circumstances of the case and to meet the ends of the justice, we modify the order dated 24.12.2021 and delete the words **“Consequently, the IA is disposed of”** from the said order.

We grant liberty to the Applicant to file the separate applications under Sections 43, 49 and 66 of the Code within two weeks.

IA-2434/2024 **disposed of.**

-Sd-

**(ATUL CHATURVEDI)
MEMBER (TECHNICAL)**

-Sd-

**(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)**