

DIVISION BENCH

O-208

COURT - I

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

TP/17(KB)2022
IA(COMPANIES.ACT)/101(KB)2024,
IA(COMPANIES.ACT)/133(KB)2024,
IA(COMPANIES.ACT)/99(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 12TH JULY 2024

IN THE MATTER OF	AUROMA COKE LTD VS IMPEX FERRO TECH LTD
UNDER SECTION	SEC 433(E)/433(F) OF CA 1956

Appearances (via video conferencing/physically)

Mr. Rahul Auddy, Adv.] For the CoC

Mr. Aditya Gooptu, Adv.]

Ms. Pallavi Roy, Adv.] For the RP

ORDER

1. Ld. Counsel for the parties present.
2. **IA(COMPANIES.ACT)/133(KB)2024**
 - (a) This Application has been filed under Section 22(3)(b) of the Code by the applicant for replacement of the IRP and proposal to appoint Mr. Ashok Kumar Sarawagi as the Resolution Professional for the period of CIRP.
 - (b) This application is duly supported by an affidavit of RP/ Applicant which is at page 12-13.
 - (c) It is submitted that in the first meeting of COC held on 31st May 2024. In the first meeting of the COC, the resolution professional for confirmation of Mr.

Rajiv Kumar Agarwal as the Resolution Professional from IRP was not passed/ confirmed by the COC. Thereafter, the 2nd COC meeting was held on 14th Jne, 2024 wherein **Mr. Ashok Kumar Sarawagi** (Reg. No. IBBI/IPA-001/IP-P00171/2017-2018/10340) was proposed as the Resolution Professional in place of Rajiv Kumar Agarwal by COC. Accordingly, the resolution for replacement of RP was put to vote in e-voting after the conclusion of the 2nd COC meeting and the resolution for replacement of the RP was approved with 100% voting of the COC (**Annexure - A, Page 14-67**).

(d) In view of the above, we allow the replacement of IRP of Mr. Ashok Kumar Sarawagi in place of Mr. Rajiv Kumar Agarwal. However the fees and charges payable to the IRP shall be paid expeditiously.

(e) Accordingly, this IA is being allowed and **disposed of**.

3. Post this matter on **30.08.2024**.

Balraj Joshi
Member (Technical)

Bidisha Banerjee
Member (Judicial)