

DIVISION BENCH  
COURT - I

**O-202**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/309(KB)2022  
IA(I.B.C)/43(KB)2024, IA(I.B.C)/269(KB)2024,  
IA(I.B.C)/342(KB)2024, IA(I.B.C)/387(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 21<sup>ST</sup> FEBRUARY 2024, 10:30 A.M**

IN THE MATTER OF	EASTERN HOUSING UDYOG FINANCE COMPANY LTD. VS ARCUDDIPORE TEA CO LTD
UNDER SECTION	IBC UNDER SEC 7

**Appearance (via video conferencing/physically)**

Ms. Urmila Chakraborty, Adv. ] For the Respondents in IA(IBC)269(KB)2024  
Ms. Madhuja Barman, Adv. ]

Ms. Manju Bhuteria, Adv. ] For the COC in IA(IBC)342(KB)2024  
Ms. Tanvi Luhariwala, Adv. ]  
Mr. Kailash Dhanuka, Adv. ]

Mr. Senhasish Chakraborty, Adv. ] For IRP  
Mr. Pranab Kr. Choudhuri, Adv. ]

**ORDER**

1. Ld. Counsel for the parties present.

2. **IA(IBC)/342(KB)2024**

- This IA has been filed by the applicant under section 22(3)(b) seeking appointment of Mr. Jay Narayan Gupta as the Resolution Professional in terms of resolution passed by CoC with 100% voting. The Resolution passed by CoC is at Page Nos.37, 42 & 43.
- This IA is accompanied by an affidavit of one of the Financial Creditors with 78.38% voting share. He claims to be authorised by other Financial Creditor(s) by way of an e-mail dated 1<sup>st</sup> February, 2024.
- Ld. Counsel appearing for the applicant has placed reliance at Page No.37 wherein it is mentioned that IRP appointed by the Adjudicating Authority is unable to continue as RP because of his ill-health.

- d) In view of the above position, this IA is allowed to the extent of appointing **Mr. Jay Narayan Gupta**, Registration No.IBBI/IPA-001/IP-P00371/2017-2018/10628 as the Resolution Professional in place of Mr. Pranab Kumar Chakraborty. Accordingly, this IA is allowed and disposed of.
3. **IA(IBC)/43(KB)2024**
- a) This IA has been filed by IRP for placing on record the Constitution of CoC which is at Page Nos.28 to 30. This IA is accompanied by an affidavit of IRP which is at Page Nos.12 to 15. The Constitution of CoC is taken on record and the IA is allowed to this extent and is disposed of accordingly.
4. **IA(IBC)/387(KB)2024**
- a) This IA has been filed by IRP for placing on record the Progress Report which is at Page No.27 to 45. This IA is accompanied by an affidavit of IRP which is at Page No.11 to 14. The Progress Report is taken on record and this IA is accordingly allowed and disposed of.
- b) Post this CP for filing further progress report on 18.03.2024.
5. **IA(IBC)/269(KB)2024**
- a) This IA has been filed by the Resolution Professional under Section 19(2) of IBC. While moving this application Ld. Counsel has stated that the Respondents have furnished some of the documents and information detailed in Paragraph Nos.20 and 21 of this IA. This IA is accompanied by an affidavit which is at Page Nos.30 to 33.
- b) Registry is directed to issue notice to the Respondents by way of speed post and e-mail and place the tracking information on record.
- c) Post this matter on **18.03.2024** in the meantime; Respondents will file compliance affidavit with respect to the information and documents sought by RP and those provided by the respondents.
6. Post this matter on **18.03.2024**.

**Balraj Joshi**  
**Member (Technical)**

**Rohit Kapoor**  
**Member (Judicial)**