

DIVISION BENCH
COURT - I

O-203

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

C.P. (IB)/21(KB)2023
IA(I.B.C)/1294(KB)2024,
IA(I.B.C)/1296(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

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| IN THE MATTER OF | OMKARA ASSETS RECONSTRUCTION PRIVATE LIMITED VS MAHENDRA COMMERCIAL LTD |
| UNDER SECTION | IBC UNDER SEC 7 |

Appearances (via video conferencing/physically)

Mr. Avishek Das, Adv.] For the CoC

Ms. Namrataa Basu, Adv.] For the Resolution Professional
Ms. Anushka Dhar, Adv.]

Ms. Arundhuti Roy Barman, Adv.] For the Respondent in IA 1296/2024
Ms. Madhusmita Senapati, Adv.]

ORDER

1. Ld. Counsel for the parties present.
2. **IA(I.B.C)/1294(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. Pankaj Parakh 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 8-9.

(c) It is submitted that in the first meeting of COC held on 21.05.2024 meeting , Mr. Netai Basak, Interim Resolution Professional expressed his unwillingness to be appointed as Resolution Professional of Mahendra Commercial Limited owing to some personal issues which was deliberated upon and after such deliberation, it was resolved that the Interim Resolution Professional be replaced with Mr. Pankaj Parakh having Registration No. IBBI/IPA-001/IP-P-02701/2022-2023/14193. The subject matter was put to vote and was approved by the members of having 100% of voting right (**Annexure C Page 28-53**).

(d) In view of the above, we allow the replacement of IRP of Mr. Pankaj Parakh in place of Mr. Netai Basak.

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

3. **IA(L.B.C)/1296(KB)2024**

(a) Post this IA on **29.08.2024**.

Balraj Joshi
Member (Technical)

Bidisha Banerjee
Member (Judicial)