

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
COURT - 2

ITEM No.219 – IA/1090(AHM)2023
ITEM No.220 – IA/1336(AHM)2023
ITEM No.221 – IA/1337(AHM)2023
ITEM No.222 – IA/1370(AHM)2023
ITEM No.223 – IA/1462(AHM)2023
in
CP(IB) 38 of 2020

Proceedings under Section 7 IBC

IN THE MATTER OF:

IDBI Bank Ltd

.....Applicant

V/s

Sumeet Industries Ltd

.....Respondent

Order delivered on: 08/05/2024

Coram:

Mrs. Chitra Hankare, Hon'ble Member(J)

Dr. Velamur G Venkata Chalapathy, Hon'ble Member(T)

PRESENT:

For the RP

: Mr. Amol Vyas, Adv. & Mr. Danish Akhtar Adv.

RP

: Mr. Satyendra Prasad Khorania

For DGVCL

: Mr. Maulik Nanavati, Adv. in IA 1462 of 2023

ORDER

IA/1090(AHM)2023

It appears that service is not made on the respondents. There is no evidence on record to satisfy that service is made on the respondents. Resolution Professional is not taking care, rather negligent, to serve upon respondent who are Suspended Management in Sec 43 application and the matter is pending since 2023 and no attempt had been made to serve respondents and they are not appearing in this matter. Penalty of Rs.10,000/- is imposed upon Resolution Professional for not making service on the respondent to be paid to PM Relief Fund. Ld. Counsel for the applicant is directed to serve fresh notice upon respondents.

List for further consideration on 24.06.2024.

IA/1336(AHM)2023

This is a pending application filed by the applicant for allowing a period of 29 days be excluded from the CIRP period of 330 days so that e-voting on the resolution plan (resolution plan since disposed off) can be completed to achieve the objective of the IBC.

Heard Ld. Counsel for the applicant. The period of 29 days is excluded from the overall period of 330 days. In view of the same, IA 1336 of 2023 is allowed and disposed-off.

IA/1337(AHM)2023

This application is filed by the RP for placing on record the compliance report in compliance of order dated 09.11.2023. The same is taken on record, with all just exceptions.

Place report with main file for further reference.

Accordingly, IA 1337 of 2023 stands disposed off.

IA/1370(AHM)2023

This application is filed by the RP for placing on record the compliance report in compliance of order dated 23.11.2023. The same is taken on record, with all just exceptions.

Place report with main file for further reference.

Accordingly, IA 1370 of 2023 stands disposed off.

IA/1462(AHM)2023

This is an application filed by the applicant to direct the RP to forthwith make payment of Rs. 21,46,87,715=05 electricity consumed by the corporate debtor during the corporate insolvency- resolution period without waiting for approval of resolution plan. The learned counsel for applicant stated that the amount has already been paid. He is directed to file a pursis on this by today which he agreed and has since filed.

This application in view of the submissions is disposed off.

-Sd-

DR. V. G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

-Sd-

CHITRA HANKARE
MEMBER (JUDICIAL)