

IA 1449/2020

1. Counsel for the erstwhile RP submits that about 2.7 Crore was paid upfront and the remaining Rs. 3.9 Crore was to be paid on back to back basis after realization from the client. The Counsel for the Applicant acknowledges that the AMC components stood paid and part replacement in relation to MSRTC project has been paid subsequent to filing of this application. Accordingly, the issue remains in this application pertains to part replacement cost in relation to UPSRTC project. Further, the dispute is that whether the payment is to be released on back to back basis or not.
2. Ld. Counsel for the Applicant submits that in terms of arbitration award in relation to UPSRTC projects, the arbitrator had returned the findings that all the payments have been made by the UPSRTC to the Corporate Debtor. Accordingly, the Corporate Debtor must have paid the money.
3. The Applicant is directed to serve the copy of this Application along with the copy of this order to the Monitoring Committee of the Corporate Debtor. Further, the Applicant is directed to take necessary steps by filing an appropriate application to implead monitoring Committee as a party respondent, if they wish to.
4. Further, the presence of the erstwhile RP is dispensed with in due course.
5. List this matter on **05.08.2024** for further consideration.

IA 1171/2022

1. On the first call Mr. Ankita Singhania, Ld. Counsel for the Respondent present, however, she is facing some technical difficulty. In view of this Bench is inclined to pass over the matter.
2. Again at 12:45 P.M. when the matter called out one proxy counsel appeared on behalf of the Respondent and submits that the arguing counsel

is occupied in another court, accordingly, seeks short adjournment.
Permitted.

3. Ld. Counsel for the Applicant submits that the report from KPMG be directed to be served within reasonable time. The KPMG is directed to tender their report within 45 days from the date of communication of this order. Ld. Counsel for the Applicant further submits that the Respondent be directed to make the payment in compliance of the earlier order and their statement to this Court. The Bench directs the Respondent to do so.
4. List this matter on **30.07.2024** for further consideration.

Sd/-

PRABHAT KUMAR
MEMBER (TECHNICAL)

/NP/

Sd/-

JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)