

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-V

10. IA/2445/2023 IA 1716/2023 IA/1342/2023 IA/868/2023
In C.P. (IB)/3126(MB)2019

CORAM:

SMT. ANURADHA BHATIA
HON'BLE MEMBER (T)

SHRI KULDIP KUMAR KAREER
HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 13.06.2023

NAME OF THE PARTIES: POSITIVE RAYS EVENTS PRIVATE LIMITED
Vs.
SHELTREX KARJAT PRIVATE LIMITED

Section: 9 of Insolvency & Bankruptcy Code, 2016

ORDER

IA No. 868/2023 – Adv. Raina Birla appeared for the applicant/RP. The present application is filed by Mr. Arun Nandlal Agarwal IRP of Sheltrex Karjat Pvt. Ltd. for appointment of Mr. Vishnu Kant Kabra as the Authorised representative of the Corporate Debtor in the class of Allottees/Home Buyers under Real Estate Project as per Regulation 16A of the Insolvency & Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons Regulations, 2016 (CIRP Regulations)).

Counsel appearing for the applicant submitted that home buyers have approved the name of Authorised representative. The consent of Vishnu Kant Kabra is also attached with this application.

In view of aforesaid, we find it fit and proper to appoint Mr. Vishnu Kant Kabra, having registration No. IBBI/IPA-001/IP-P02178/2021-2022/13747, as Authorised representative as per the terms and conditions in the resolution.

With the aforesaid observations **IA No. 868/2023** is **allowed** and **disposed of**.

IA No. 1342/2023- Adv. Pulkit Sharma appeared for the applicant. Sr. Counsel, Mr. Pratik Seksaria appeared for the respondent. Heard on the present IA No. 1342/2023, seeking permission to appoint one Mr. Amit Vijay Karia as IRP whose name has been approved by CoC in its meeting dated 09.03.2023 and has proposed to appoint Mr. Amit Vijay Karia as RP in accordance with the Section 22 of the Insolvency & Bankruptcy Code, 2016. The aforesaid resolution stated has been passed by the CoC with 100% voting. During the course of the arguments Sr. Counsel Mr. Seksaria initially opposed the application stating that he is in the process of filing an IA on behalf of some home buyers who are not yet part of the CoC as their claims have not been admitted by the IRP so far. However, during the course of the arguments both the counsels agreed that instead of Mr. Amit Vijay Karia whose name has been proposed by CoC, any other RP may be appointed from the IBBI panel by the Bench and such appointment will be accepted to them.

That being so, we allow the application and appoint Mr. Manish Lalji Dawda having registration no. IBBI/IPA-001/IP-P-02506/2021-2022/13797, having address at 205-A, 2nd Floor, Plot No 408, Hiren Light Industrial Estate, Bhagoji Keer Marg, Near Paradise Cinema, Mahim, Mumbai City, Maharashtra, 400016, E-mail ip.dawdamanish@gmail.com. With the aforesaid, **IA No. 1342/2023** is **allowed** and **disposed of**.

IA No. 2445/2023 - The present application is filed by the IRP to place on record CoC report. The report of the IRP is taken on record. With the aforesaid, **IA No. 2445/2023** is **allowed** and **disposed of**.

List this matter on **13.07.2023**.

Sd/-
ANURADHA BHATIA
Member (Technical)

Sd/-
KULDIP KUMAR KAREER
Member (Judicial)