

NATIONAL COMPANY LAW TRIBUNAL
COURT ROOM NO. 1,
MUMBAI BENCH

Item No. 28

C.P. (IB)/1049(MB)2019

IN

RCP (IB) 7 /MB/2023

CORAM:

SH. PRABHAT KUMAR JUSTICE VIRENDRASINGH BISHT (Retd.)
HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)

ORDER SHEET OF THE HEARING ON **10.07.2024**

NAME OF THE PARTIES: THE COSMOS CO-OPERATIVE BANK LTD
V/s AKANSHA ASHISH RATHI

SECTION 22(3)(b) OF THE INSOLVENCY AND BANKRUPTCY CODE,
2016

ORDER

1. Mr. Nikhil Rajani a/w Ms. Shreyansh Desai Ld. Counsel for the Applicant present.
2. This matter was taken on board upon mentioning by the Counsel for the Applicant. Record reveals that this Bench vide order dated 21.05.2024, passed in I.A. 2500/2024, inadvertently recorded that this Application is filed for confirmation of IRP as Resolution Professional. However, the said mistake occurred due to oversight, in fact, the present Interlocutory Application has been filed by the Applicant, Cosmos Co-operative Bank Ltd., seeking replacement of the Interim Resolution Professional.
3. The above said submissions of the Ld. Counsel for the Applicant found substantiated after referring to the Interlocutory Application. In that view of the matter, this Bench rectifies the said inadvertent error and thus pass the following order.

“I.A. 2500/2024

- i. The Applicant has filed this Application u/s 22(3)(b) for replacement of Resolution Professional.
- ii. Ld. Counsel for the Applicant submits that the CoC in its 1st meeting held on 29.02.2024, passed a resolution with 82.85% vote to appoint Mr. Jigar Tarunkumar Bhatt as Resolution Professional of the Corporate Debtor in place of Ms. Akansha Ashish Rathi, Interim Resolution Professional.
- iii. On the strength of Resolution passed in the 1st CoC meeting, we consider it appropriate to appoint Mr. Jigar Tarunkumar Bhatt, having Registration No. IBBI/IPA-001/IP-P-01917/2019-2020/13005 as Resolution Professional of the Corporate Debtor.
- iv. The IRP is directed to handover the data/records/documents/information, whatever available with him in the physical or electro format to the incumbent RP within two days.

Sd/-
PRABHAT KUMAR
MEMBER (TECHNICAL)
/NP/

Sd/-
JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)