

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

Item No. 23

**CA No. 377/2019, 520/2018
IA Nos. 180/2021, 1613/2022,
452/2023, 470/2023, 588/2023, 589/2023,
592/2023
in
CP(IB) No. 35/Chd/Hry/2018
(Admitted)**

**Under Section 9 & 30(6) & 45
& 49 & 50 & 66 & 60(5) &
18(f), IBC 2016**

In the matter of:-

Phoenix Arc

...Petitioner/Operational Creditor

Vs

GPI Textiles Ltd.

.....Respondent/Corporate Debtor

Present :

Mr. Abhishek Anand with Mr. Viren Sharma, Advocates for the applicant-RP in CA Nos. 243/2019, 377/2019 & 520/2018.

Mr. J.K. Grover, Resolution Professional in person.

Mr. Anand Chhibar, Senior Advocate with Mr. Vaibhav Sahni, Advocate for respondents in IA No. 470/2023.

None for the Excise Department in CA No. 243/2019.

Mr. Manish Jain with Ms. Divya Sharma, Advocates for the applicant in IA No. 180/2019 and for COC in IA No. 452/2023.

Mr. Harsh Garg, Advocate with Mr. Pulkit Goyal, Advocate for the applicant in IA No. 1613/2022.

Mr. Aalok Jagga with Mr. APS Madaan, Mr. Sidak Bajaj and Ms. Deepshikha Gupta, Advocates for respondent No. 1 in IA No. 180/2020 and for Resolution Applicant in IA No. 452/2023 and 470/2023.

Mr. Nahush Jain with Ms. Pridhi Singla, Advocates for respondent No. 2 in IA No. 180/2021.

CA Nos. 377/2019 & 520/2018

These are applications for PUFEE transactions which are directed to be segregated. It is stated by learned counsel for applicant that these applications are now segregated and filed by IA No. 588/2023, 589/2023 & 592/2023. As

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these segregated applications are also filed, this CA Nos. 377/2019 & 520/2018 are rendered infructuous and disposed of accordingly.

IA Nos. 588/2023, 589/2023 & 592/2023

These are PUFEE transactions filed under Sections 45/49, 50 & under Section 66 of the Code respectively. There are four respondents in all these applications.

Heard. Issue notice of this application to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

Reply be filed within three weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite.

List on 28.04.2023.

IA No. 180/2021

This is an application filed under Section 68 of the Code. There are two respondents. Learned counsel for the applicant is directed to file his rejoinder

within two weeks with a copy in advance to the counsel opposite. List on 16.03.2023.

IA No. 1613/2022

Reply on behalf of RP filed by diary No. 02445/2 dated 19.01.2023 is taken on record. One last opportunity is given to the applicant to file rejoinder. Let the same be filed within one week with a copy in advance to the counsel opposite. List the case for arguments on 16.03.2023.

IA No. 470/2023

Affidavit of service filed by diary No. 00512/1 dated 06.03.2023 is taken on record.

This is an application filed by the RP with a prayer for directions regarding continuation of the electricity supply. The learned senior counsel on behalf of HPSEB has vehemently argued that the non-payment of the electricity charges even during the CIRP period is hampering the smooth functioning. It will also be attracting other charges including late payment charges. Learned RP is directed to convene meeting with the Responsible Officer from HPSEB on 13.03.2023 with regard to the actual charges during CIRP period which has not been paid so far along with the bifurcation for other charges leviable under the HP Electricity Board Act and submit a report within one week.

In the meantime, status quo be is to be maintained till the next date of hearing. List on 16.03.2023 higher on board.

IA No. 452/2023

Compliance affidavit filed by RP by diary No. 00456/2 dated 22.02.2023

is taken on record. List on 16.03.2023.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

Sd/-
(Harnam Singh Thakur)
Member (Judicial)

March 09, 2023
VN