

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

Item 37

**MA (IBC) No. 10/2021, &
IA No. 23/2022, 235/22, 959/22, 961/22
In**

**CP (IB) No. 223/Chd/HP/2020
(Admitted)**

Under Section 9 & 60(5), IBC 2016 19(2), IBC 2016

In the matter of:-

Smt. Kanika Dandona

..Petitioner/Operational Creditor

Vs.

AG Appliances Pvt. Ltd.

..Respondent/Corporate Debtor

Present: - Mr. Karan Bajaj, Advocate for the respondent in IA No.961/2022.
Mr. Sham Lal Saha proxy counsel for Ms. Neha Gupta, Advocate for the
respondent No. 1 & 2 in MA (IBC) No. 10/2021 as well as in IA No.959/2022.
Mr. Deepak Jain, Advocate for respondent No. 1 in IA No. 235/2022.

MA (IBC) No. 10/2021

There are five respondents. None for respondent Nos. 3, 4 and 5. The proxy counsel for respondent No. 1 and 2 has requested for future time to file the reply. It is stated by the learned counsel for the applicant that respondent Nos. 3 to 5 have not been served at the address of erstwhile directors as the applicant is not sure about the address of respondent Nos.3 to 5. He is required to make substitute service and go for publication and publish the same in two newspapers, one in English and one in vernacular language and file Affidavit of service be filed within one week. One more opportunity is granted to all respondents to file reply within four weeks failing, which their right to reply will be closed. List on 24.05.2023.

IA No. 23/2022

It is stated by the learned counsel for the applicant that the proposal for extension of the CIRP period has not been approved by the COC. It is further stated that the CIRP was initiated on 18.06.2021. The RP is directed to convene the meetings within seven days and issue of extension of CIRP as agenda for voting if approved by the COC, the RP is at liberty to file another application for extension of CIRP period. In the result this application is dismissed and disposed of accordingly.

IA No.235/2022

This is an application filed by the IP against Members of the COC. There are two respondents. In this application, it is prayed for issue directions to respondents-COC for giving necessary approval for completion of the CIRP process. The reply has been filed by the learned counsel for the respondent No. 1 i.e. Axis Bank Private Limited vide diary No.0490/4 dated 23.03.2022. The same is taken on record. It is stated by the learned counsel for the applicant that there are five operational creditors with a total demand of Rs. 1,86,24,781/- and one financial creditor namely Axis Bank and RBL Bank. One more opportunity is given respondent No.2 to file the reply within two weeks with a copy in advance to the counsel opposite. List the case for hearing on 24.05.2023.

IA No.959/2022

This is an application filed by the RP against Suspended Director and Statutory Auditors under Section 19(2). There are three respondents in IA No.959/2022. None for respondent No.3. Learned counsel for the applicant has stated that respondent No.3 address is not available. He is directed to do their

publication in one in English and one vernacular in two newspapers. At the request of the applicant is directed to issue notice to respondent No.3 i.e. Statutory Auditors through email and file the affidavit of service within one week and reply to the parties within three weeks failing which their right to reply will be closed. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite. List on 24.05.2023.

IA No. 961/2022

This is an application filed against operational creditor. It is stated by the learned counsel for the respondent that he has e-filed soft copy of the reply. He is directed to file the hard copy of the same within three weeks with a copy in advance to the counsel opposite. Rejoinder, Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite. List on 24.05.2023.

Sd/-

(Subrata Kumar Dash)
Member (Technical)

April 17, 2023
PRF

Sd/-

(Harnam Singh Thakur)
Member (Judicial)