

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

**Item No. 30
IA Nos. 823/2020, 468/2022,
829/2020 & 1214/2022
In
CP (IB) No. 515/Chd/CHD/2019
(Admitted Matter)**

**Under Sections 5(13), 14(1),
17(2)(e), 30(6), 31 & 60(5)(b) of the
Insolvency and Bankruptcy Code,
2016 and Rule 11 of NCLT Rules,
2016**

In the matter of:-

Parivartan Investment
& Finance Company

...Financial Creditor

Vs.

Haryana Telecom Ltd.

....Corporate Debtor

Present through Video Conferencing:

Mr. Anand Chhibbar, Senior Advocate with Mr. Abhishek Anand, Mr. Viren Sharma and Mr. Mohit Uppal, Advocate with Mr. Sanyam Goel, Resolution Professional in person for applicant-Resolution Professional in IA Nos. 468/2022 and for respondent-Resolution Professional in IA No. 829/2020.

Mr. Yuvraj Francis, Advocate, proxy counsel for Mr. Naman Joshi, Advocate for respondent-COC in IA No. 468/2022.

Mr. Viren Sharma, Advocate for applicant-Resolution Professional in IA No. 1214/2022.

Mr. Vishal Garg, Advocate for applicant in IA No. 829/2020.

Mr. Aakarshan Sahay, Advocate for Resolution Applicant.

IA No. 468/2022

This is an application filed by the Resolution Professional to direct the COC to defray the share of the CIRP cost. Compliance affidavit filed by applicant vide Diary No. 00886/4 dated 13.09.2022 is taken on record. It is

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stated by Mr. Yuvraj Francis, Advocate, proxy counsel for Mr. Naman Joshi, Advocate for respondent that he has e-filed the reply but hard copy of the same has not been filed. He is directed to file the hard copy of the reply in the Registry within one week and the copy of the same has already been received by learned counsel for applicant. Learned counsel for applicant is directed to file rejoinder thereto, if any, within one week with a copy in advance to the counsel opposite. Learned counsel for parties are directed to file their short written submissions alongwith supporting case law(s), if any, within one week after exchanging copies with each other.

2. Heard. Orders reserved.

IA No. 829/2020

3. This is an application filed by the Director of Industries, Haryana regarding changing its status from operational creditor to financial creditor. The pleadings are complete. Learned counsel for parties are directed to file their short written submissions alongwith supporting case law(s), if any and also to include the decisions of the Hon'ble Supreme Court in the case of Rainbow is applicable to the present case, at least one week before the next date of hearing after exchanging copies with each other. The matter be listed on 20.10.2022 for arguments.

IA No. 823/2020

4. Keeping in view the decisions of the Hon'ble NCLAT in the case of ***Tourism Finance Corporation of India Ltd. Vs. Rainbow Papers Ltd. & Ors.*** in C.A. (AT)(Ins) No. 354 of 2019, decided on 19th August, 2019, and ***Sikander Singh Jamuwal versus Vinay Talwar and Others***, Company Appeal (AT)(Ins) No.483 of 2019 decided on 11.03.2022, the SRA is directed to

submit an affidavit stating that the SRA will pay the contribution and other sums due from the corporate debtor under any provision of the Employees Provident Funds and Miscellaneous Act, 1952 Act or the Scheme or the Pension Scheme or the Insurance Scheme, and under The Payment of the Gratuity Act, 1972, as the case may be, in respect of the period up to the date of approval of the resolution plan by the Adjudicating Authority. Let the same be filed at least one week before the next date of hearing.

5. Mr. Sidhant Saraswat, learned counsel appearing on behalf of Suspended Board of Directors and informed that he will be filing an application against the resolution plan. Let the same be filed within one week and Registry is directed to list the said application, if free from all objections with IA No. 823/2020 on 20.10.2022.

IA No. 1214/2022

6. 67th progress report for the period from 20.08.2022 to 02.09.2022 alongwith affidavit has been filed by Resolution Professional through counsel. The same is taken on record subject to just exceptions. Thus, IA No. 1214/2022 is disposed of accordingly.

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

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

September 22, 2022
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