

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 3
IA(I.B.C)/ 1538 (CH) 2022, IA(I.B.C)/2958 (CH)2023
IA(I.B.C)/764 (CH)2022, IA(I.B.C)/ 1537 (CH)2022
IA(I.B.C)/ 154 (CH)2024
In
C.P. (IB)/315(CH)2019
(Admitted)

IN THE MATTER OF:

Bank of India

... Petitioner-Financial Creditor

Versus

Vikas WSP Ltd.

... Respondent-Corporate Debtor

Under Section: 7, 19(2), 30, 60(5), 66(1) IBC 2016

Order delivered on 15.04.2024

CORAM:

SHRI. UMESH KUMAR SHUKLA,
HON'BLE MEMBER (T)

SHRI. HARNAM SINGH THAKUR,
HON'BLE MEMBER (J)

PRESENT:

For the Applicant in : Mrs. Munisha Gandhi, Senior Advocate with Mr.
IA No. 2958/2023 G.S. Sarin, PCs

For RP in person : Mr. Darshan Singh Anand

For the SRA : Mr. Aalok Jagga with Mr. APS Madaan,
Advocates

For Respondent : Mr. Vaibhav Sharma, Advocate
No. 19 in IA No.
1537/2022

For all Respondents : Mr. Shubham Gupta & Mr. Vaibhav Sahni,
in IA No. 764/2022 Advocates
& respondents Nos.
12, 15 & 16 in IA
No. 1537/2022

- For Applicant in IA No. 154/2024** : Mr. Deepankur Sharma, Advocate
- For Respondent No. 3,4,5,6,7,11,13,14,17 & 18 in IA No.1537/2022** : Mr. Karanveer Jindal, Advocate
- For Respondent No. 1 in IA No.1537/2022** : Mr. Yashpal Gupta, Advocate
- For Respondent No.20 in IA No. 1537/2022** : Mr. Rajat Chaudhary & Mr. Gautam Singhal, Advocates
- For Respondent No.22 in IA No. 1537/2022** : Mr. Nahush Jain, Advocate
- For Respondent No. 23 in IA No. 1537/2022** : Mr. Rohit Khanna with Mr. Raghav Kapoor, Advocate
- For Respondent/Resolution Professional in IA No. 154/2024** : Mr. G.S. Sarin, PCS
- For Applicant/RP in IA No. 764/2022 & 1537/2022** : Mr. I.P.S. Oberoi, Advocate

ORDER

IA(I.B.C)/2958 (CH)2023

In pursuance of order dated 31.03.2024, the affidavit of RP has been filed vide diary No. 03848/1 dated 15.04.2024 but the hard copy of the same is not placed before us. Registry is directed to put the hard copy of the same before us. However, the copy of the affidavit is available on DMS portal. It transpires that the said affidavit is salient about the incident of theft dated 29.05.2023 in the house of MD and about the incident intervening night of 21/22.10.2023. It

is stated in the said affidavit that it was simply an attempt to theft, but nothing was stolen from the premises of corporate debtor. Ld. counsel for the RP is directed to file an additional affidavit mentioning about the incident of theft dated 29.05.2023. Let the same be done within one week. List the matter on 01.05.2024.

IA(I.B.C)/764 (CH)2022

It is stated by the RP that the short note has been filed vide diary No. 01169/6 dated 15.04.2024, but the hard copy of the same is not available with us. Registry is directed trace out the same and put before us on the next date of hearing.

In the meantime, Ld. counsel for the respondent-corporate debtor is directed to file short-written submissions, if any, within one week with a copy in advance to the counsel opposite.

List the matter on 01.05.2024.

IA(I.B.C)/154 (CH)2024

A date is requested by the Ld. counsel for the RP for filing the reply. Let the same be filed by specifically mentioning whether at any point of time the property involved was the property of the respondent-corporate debtor within two weeks with a copy in advance to the counsel opposite. Last opportunity is granted.

List the matter on 01.05.2024.

IA(I.B.C)/1537 (CH)2022

A date is requested by Ld. counsel for the RP for making compliance of the last order. Let the same be done within two weeks with a copy in advance to the counsel opposite. Last opportunity is granted.

List the matter on 01.05.2024.

IA(I.B.C)/ 1538 (CH) 2022

It is stated by Ld. counsel for the RP that there is provision to follow the PUFEE transaction by the creditors, but it is pointed out that there are mainly three creditor's banks namely Bank of India, Punjab National Bank & Union Bank of India. RP is present in person today. He is directed to take instructions on this provision as to which bank will follow the application under Section 66 after approval of the Resolution Plan and the proceeds, if recovered will be disbursed in which manner to whom. Let the same be done within two weeks.

Lis the matter on 01.05.2024.

Sd/-

**(UMESH KUMAR SHUKLA)
HON'BLE MEMBER (T)**

Sd/-

**(HARNAM SINGH THAKUR)
HON'BLE MEMBER (J)**