

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**  
**(Division Bench)**

**Item No.-1**  
(IB)-190(PB)/2017  
IA/1334/2023

**IN THE MATTER OF:**

Union Bank of India

**.....Applicant**

**Vs.**

Era Infra Engineering Limited

**.....Respondent**

**SECTION**

U/s 7 of (IBC) CIRP

**Order delivered on 22.04.2024**

**CORAM:**

**SHRI MAHENDRA KHANDELWAL,  
HON'BLE MEMBER (JUDICIAL)**

**Dr. SANJEEV RANJAN,  
HON'BLE MEMBER (TECHNICAL)**

**HYBRID HEARING (PHYSICAL & VC)**

**PRESENT:**

For the Applicant :  
For the Respondent :  
For the CoC : Mr. P. Nagesh, Sr. Adv., Mr. PBA Srinivasan, Adv.  
For the RP : Mr. Sunil Fernandes Sr. Adv. with Mr. Ajay Bhargava,  
Ms. Wamika Trehan, Mr. Shivank Diddi, Mr. Siddhant  
Kumar, Advs., Mr. Rajiv Chakraborty, RP

**ORDER**

**IA/1334/2023:-**

Ld. Sr. Counsel Mr. Sunil Fernandes appears on behalf of the Resolution Professional and submitted that in terms of order dated 01.04.2024, meeting of the CoC was called and in the said meeting CoC with 88.60% voting resolved that the proceeds of the avoidance application, if any, will go only to the Assenting Financial Creditor and affidavit by the Resolution Professional has been filed in this regard along with the minutes of the CoC meeting. Ld. Sr. Counsel Mr. P. Nagesh also appears on behalf of the CoC. We have also

perused the provision in the Resolution Plan where a different treatment for Assenting Financial Creditor and Dessenting Financial Creditor has been shown. Order in this matter is **reserved**.

**Sd/-**  
**(Dr. SANJEEV RANJAN)**  
**MEMBER (T)**

**Sd/-**  
**(MAHENDRA KHANDELWAL)**  
**MEMBER (J)**