

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT-III

ITEM No. 313

IA - 780/2024

IN

IB-378(PB) 2021

IN THE MATTER OF:

PHL Fininvest Pvt Ltd.

.... Petitioner/Applicant

Vs.

Mr. Chandresh Jajoo

.... Respondent

Order u/S. 95(1) of Insolvency & Bankruptcy Code (IBC), 2016.

Order delivered on 20.03.2024

CORAM:

SH. BACHU VENKAT BALARAM DAS

HON'BLE MEMBER (JUDICIAL)

SH. ATUL CHATURVEDI

HON'BLE MEMBER (TECHNICAL)

(HEARING THROUGH PHYSICAL MODE & VC)

PRESENT:

For the Applicant :

For the PG : Mr. Vikas Dutta, Mr. Siddharth Silwal & Ms. Shivani Sharma, Advs.

ORDER

IA-780/2024

This application has been filed seeking the following prayer:-

- "A. Allow the present Application and take on record the amended Memo of Parties and substitute the name of PHL Fininvest Private Limited with Piramal Enterprises Limited as the Applicant / Financial Creditor in the Company Petition bearing IB No. 378 of 2021;
- B. Pass such other or further order(s) as this Hon'ble Tribunal may deem fit in the facts and circumstances of the present case."

Ld. Counsel appearing for the Applicant has submitted that the NCLT, Mumbai Bench has passed an order in CP(CAA)-140/MB/2022 in the matter of "M/s. Piramal Enterprises

Limited” vide order dated 12.08.2022 in an application filed under Section 230-232 of the Companies Act, 2013, whereby it has allowed the scheme that under Section 230-232 and consequently the Financial Creditor has merged with M/s. Piramal Enterprises Limited, the Applicant herein.

Heard submissions and perused the records. In view of the order passed by the NCLT, Mumbai Bench, we direct that M/s. Piramal Enterprises Limited be substituted in place of “M/s. PHL Fininvest Private Limited”.

Amended memo of parties, taken on record.

IA disposed of.

List the main matter i.e. IB-378(PB)/2021 along with IB-85(ND)/2022 in the matter of “M/s. Seimens Financial Services Pvt. Ltd. Vs. Chandresh Jajoo”.

Since it is submitted by the Ld. Counsel appearing for the Applicant that in IB-378(PB)/2021 which was filed earlier, a Resolution Professional should be appointed. The Applicant shall propose the name of the Resolution Professional by filing an appropriate application in this regard.

Parties are also directed to file brief synopsis along with lists of dates.

List the matter on **16.04.2024.**

-Sd-
(ATUL CHATURVEDI)
MEMBER (TECHNICAL)

-Sd-
(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)