

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

Item No.-508
(IB)-1128(ND)/2020
IA-3098/2022, IA-3426/2022

IN THE MATTER OF:

Mr. Naresh Kumar Basia

....Applicant

SECTION

U/s 94(1) of (IBC)

Order delivered on 30.04.2024

CORAM:

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

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

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Adv Akshay Gupta, Adv Mehak Upadhyay
For the Respondent :

ORDER

IA-3098/2022:-

This is an application filed under Section 98(1) of the IBC, 2016 seeking replacement of the Resolution Professional. Heard Ld. Counsel for the Applicant who submitted that this Adjudicating Authority in exercise of powers under Section 97 had appointed Mr. Sanjiv Arora as the RP. However, the said RP Mr. Sanjiv Arora vide email dated 04.06.2022 has communicated to the Applicant his inability to continue in the matter and therefore, the Applicant has now proposed the name of Ms. Gunjan Mittal as the RP bearing Registration No-IBBI/IPA-003/IP-N00361/2021-2022/13756. Her valid AFA as exists now and he has been also filed and her consent is also filed.

In view of this, we hereby appoint Ms. Gunjan Mittal (details which are given above) as IRP in the matter. The earlier RP, Mr. Sanjiv Arora is relieved from his duties. Ld. Counsel for the Applicant submitted that the payments due to the Mr. Snajeev Arora have already been made. The earlier RP Mr. Sanjiv Arora is also directed to handover all the documents available with him

to the newly appointed RP. Since the report by the earlier RP has already been filed, the new RP shall examine the report and offer her comments, if any. The copy of this order be sent to the newly appointed RP, earlier RP Mr, Sanjiv Arora and IBBI for information. With these observations, the present IA **is disposed off.**

List this main matter for consideration of the report filed by the RP under Section 99 and on the request of the Counsel, list on **05.07.2024.**

IA-3426/2022:-

This is an application filed by the RP Mr. Sanjiv Arora for withdrawal of his consent given in Form-A and also to seeking liberty to withdraw declaration made in Part-IV of the application. None appears on behalf of Applicant at the time of hearing. However, we perused the content of the application and in view of the order passed in IA-3098/2022, we allow the Applicant, Mr. Sanjiv Arora to withdraw his consent given in Form-A and liberty is also given to withdraw his declaration made in Part-IV of the application. With these observations, the present IA is **disposed off.**

Sd/-

**(Dr. SANJEEV RANJAN)
MEMBER (T)**

Sd/-

**(MAHENDRA KHANDELWAL)
MEMBER (J)**