

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

Item No. 606
IB-549/ND/2022

IN THE MATTER OF:
M/s. Kumar Electronics

...PETITIONER

Vs.

M/s. Sargam India Electronics Pvt. Ltd.

...RESPONDENT

Section
U/s 9 of IB Code, 2016

Order delivered on 07.02.2024
(Hearing through VC & Physical Mode)

Coram:
SHRI MAHENDRA KHANDELWAL, HON'BLE MEMBER (JUDICIAL)
SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For ICICI Bank
For the Applicant

:Advocate USha Singh
:Mr. Kaushik Dey for EPFO in IA no.
5350/23

For the Non-Applicant
For the RP

:Adv Sanat Garg in I.A. 2927
:Mr. Karan Gandhi and Mr. Shivam
Gautam, Advs.

For the Respondent/Corporate Debtor

:Mr. Sidhartha Sharma, Mr. Arjun
Asthana and Ms. Trisha Ahara, Advs.
In IA/3353., Mr. Mrinal Ojha, Mr.
Debarshi Dutta, Mr. Shivam Tiwari
and Ms. Nikita Rathi, Advs. In
IA/2980/2023.

ORDER

IA/5350/2023

This is an application filed by the EPFO Department seeking direction to the Resolution Professional to accept their claim. Heard Ld. Counsel for the EPFO Department and Ld. Counsel for the RP. Ld. Counsel for the RP has submitted that the claim of the EPFO was rejected on the ground of delay in terms of Regulation 12 of IBBI (IRP for CP) Regulations 2016. Keeping in view the facts and circumstances of the case we condone the delay in filing the claim

of EPFO with the RP. RP is directed to examine the claim as per law. With these observations, IA **disposed** of.

IA/2980/2023

Ld. Counsel on behalf of the non-applicant/Respondent is present and submitted that in terms of order dated 03.01.2024 they have provided the details of name of the correct party to the RP. Ld. Counsel for the RP sought time to move an application for amendment in the memo of party. In view of this, list the matter on **11.03.2024**.

IA/2927/2023

Ld. Counsel for the RP and Ld. Counsel for the Statutory Auditor are present. List the matter for arguments on **11.03.2024**.

IA/5173/2023

This is an application filed by a labourer on the basis of order passed by the Labour Court for filing the claim before this Adjudicating Authority. None appeared on behalf of the Applicant. Ld. Counsel for the RP is present and submitted that in terms of the order dated 03.01.2024 he has received the copy of the application at his office. Since the claim of the labourer has not been examined, RP is directed to examine the claim of the Applicant and take appropriate decision and inform the Applicant. With these observations, IA **disposed** of.

List the matter along with remaining IAs on **11.03.2024**.

Sd/-
(Rahul Bhatnagar)
Member (T)

Sd/-
(Mahendra Khandelwal)
Member (J)