

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

Item No. 611
150/213/ND/2021

IN THE MATTER OF:

M/s. Sunrise Mining Company Pvt. Ltd.

...APPLICANT

Vs.

M/s. Twenty First Century Wire Rods Ltd.

...RESPONDENT

Section

U/s 213 of Comp. Act, 2013

Order delivered on 18.05.2023
(Virtual Hearing)

Coram:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)
SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Petitioner/Applicant
For the RP

:Mr. Kshirja Agarwal, Adv
:Mr. Sanjay Bhatt, Ms. Apoorva
Chowdhury, Advs.

ORDER

IA/104/2022

This application has been filed by the Petitioner under Section 213(b)(i) read with Section 212(1)(c) read with Section 447 and 48 of the Companies Act, 2013 read with Rule 11 and 80 of the NCLT Rules, 2016.

We have heard the submissions of the Counsel for the Applicant and Mr. Sanjay Bhatt, Ld. Counsel for the RP. Mr. Sanjay Bhatt, Ld. Counsel has submitted that CIRP has been initiated against the Respondent company in IB-737/PB/2018 vide order dated 12.09.2018. He further submitted that the Principal Bench of this Tribunal vide order dated 30.03.2022 has passed an order in CA/1179/2019 whereby the plan has been remitted back to the CoC for reconsideration in accordance with law. Subsequently, these matters i.e. IB-737/PB/2018 and the present petition IB-150/213/ND/2021 have been

transferred to this Bench by the Principal Bench. List both the matter on **22.05.2023** for arguments on the issue of maintainability.

Sd/-
(Rahul Bhatnagar)
Member (T)

Sd/-
(Bachu Venkat Balaram Das)
Member (J)