

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**

**COURT-VI**

**Item No. 613**

**IB-2916(ND)/2019**

**IA/6591/2023, IA/6640/2023, IA/3457/2022, IA/3586/2022,  
IA/4527/2022, IA/891/2023 & IA/6350/2023**

**IN THE MATTER OF:**

**M/s. Himanshu Paper Pvt Ltd.**

**...PETITIONER**

**Vs**

**M/s. Kagaz Print n Pack India Pvt. Ltd.**

**...RESPONDENT**

**Section**

**U/s 9 of IBC, 2016**

**Order delivered on 12.04.2024  
HYBRID HEARING (PHYSICAL & VC)**

**Coram:**

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

**PRESENT:**

**For the Petitioner/Operational Creditor :**

**For the IRP**

**:Adv Ahsan Ahmed with IRP A M  
Gahrana**

**For the Respondent/Corporate Debtor**

**:Adv. Pankaj Bhagat for  
respondent no. 7.**

**ORDER**

**IA/6591/2023 & IA/6640/2023**

IA/6591/2023 has been filed in terms of Section 22(3) (b) of the IBC for replacement of the IRP Mr. Aishwarya Mohan Gahrana with a new proposed IRP.

IA/6640/2023 has been filed for not approving the name proposed by the CoC for the appointment of the IRP. Heard the Ld. Counsels on behalf of the Applicant. It was submitted that this Adjudicating Authority vide order dated 23.02.2022 had appointed Mr. Aishwarya Mohan Gahrana as IRP.

Thereafter, in terms of Section 22 (2) of the Code the CoC in its 6<sup>th</sup> meeting held on 16.11.2023 by 69.2% voting did not approve the appointment of the said IRP as RP and has instead recommended the appointment of Mr. Anurag Nirbhaya having Registration No. IBBI/IPA-001/IP-P00870/2017-2018/11468 as Resolution Professional his AFA is valid till 01.06.2024.

Written consent from the said Resolution Professional is available in the record. In view of the decision taken by the CoC, we hereby appoint Mr. Anurag Nirbhaya as Resolution Professional in this case. He is directed to take over the matter from the earlier IRP.

The earlier IRP Mr. Aishwarya Mohan Gahrana is directed to hand over all the materials and documents available with him to the newly appointed IRP. CoC is directed to settle the fees and other expenses incurred by the earlier Resolution Professional taking into account the amounts already paid to him and inform this Adjudicating Authority by the way of affidavit. As the CoC with more than 66% voting share has approved appointment of the new IRP, IA/6640/2023 no longer has merits and is therefore **dismissed**. IA/6591/2023 is **allowed**. Copy of this order be sent to the newly appointed Resolution Professional and also to the IBBI for information. Both theses IAs are accordingly **disposed of**.

List other application on **21.05.2024**.

**Sd/-**  
**(Rahul Bhatnagar)**  
**Member (T)**

**Sd/-**  
**(Mahendra Khandelwal)**  
**Member (J)**