

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**COURT – IV**

**ITEM No.410**

**IA/1206/ND/2023, IA/768/ND/2023, IA/6032/ND/2022,  
IA/5553/ND/2022 IN IB/812/ND/2021**

**IN THE MATTER OF:**

Sunila chhabra	...	Applicant
Versus		
Metro Concrete Private Limited	...	Respondent

**Order under Section 9 of IBC 2016.**

**Order delivered on 10.03.2023**

**Coram:**

**Mr. ASHOK KUMAR BHARDWAJ,  
HON'BLE MEMBER (JUDICIAL)**

**DR. BINOD KUMAR SINHA,  
HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the RP in All IAs	:	Mr. Roshan Kumar, Adv. with Mr. Rakesh Kumar Jindal, RP
For the Respondent	:	

**ORDER**

**IA/5553/ND/2022**

In view of the resolution passed by the CoC and averments made therein, the IA/5553/ND/2022 is ***allowed***. The appointment of Mr. Rakesh Kumar Jindal as IRP is confirmed.

**IA/6032/ND/2022**

Today when the matter was called before us, there is no appearance on behalf of Respondent Nos.2 & 3. Respondent No.1 could not be produced before us despite issuance ofailable warrants of arrest. The Applicant who is present in person has submitted that both Respondent Nos.2 & 3 approached him and stated that neither of them have any information regarding the affairs of the CD. Nevertheless, Respondent No.3 shared with him one balance sheet which is of the

financial year 2016-17. As apparently there is lack of cooperation at the end of the Respondents, we deem appropriate to dispose of captioned IA with direction to all the respondents to handover all the details/records/information/documents/assets of the CD to the Applicant immediately. In the failure of the Respondents to comply with this order within 14 days, it would be open to the Applicant to resort to the appropriate provisions of law against the Suspended Board of Directors/Respondent Nos.1 & 2.

**IA/768/ND/2023**

Issue notice to all the Respondents returnable on 17.04.2023 through registered post/speed post, email and file service of affidavit on the next date of hearing.

**IA/1206/ND/2023**

Issue notice to all the Respondents returnable on 17.04.2023 through registered post/speed post, email and file service of affidavit on the next date of hearing.

Let the remaining IAs i.e. IA/6032/ND/2022, IA/768/ND/2023 & IA/1206/ND/2023 be fixed for hearing on **17.04.2023**.

**Sd/-**  
**DR. BINOD KUMAR SINHA,**  
**MEMBER (TECHNICAL)**

**Sd/-**  
**ASHOK KUMAR BHARDWAJ,**  
**MEMBER (JUDICIAL)**