

DIVISION BENCH

ITEM NO.107, 109 & 139

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

CORAM:

- 1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 19th February, 2024

Attendance-Cum-Order Sheet of the Hearing.

107- CP (IB) No.279/ALD/2018

NAME OF THE COMPANY	URMILA DEVI V/S M/S JUGGILAL KAMLAPAT JUTE MILLS COMPANY LTD.
UNDER SECTION	9 IBC

109- CP (IB) No.282/ALD/2018

NAME OF THE COMPANY	SWAMIDEEN V/S M/S JUGGILAL KAMLAPAT JUTE MILLS COMPANY LTD.
UNDER SECTION	9 IBC

139- CP (IB) No.367/ALD/2019

NAME OF THE COMPANY	DEEPAK JHA V/S M/S JUGGILAL KAMLAPAT JUTE MILLS COMPANY LTD
UNDER SECTION	9 IBC

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Ankit Kohli, with : *For the Operational Creditor in all matters*
Sh. Sagar Mehrotra, Adv.
Sh. Somesh Khare, Adv. : *For the Corporate Debtor in all matters*

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ORDER

Ld. Counsels representing the parties are present physically.

1. In these matters, it is stated by the Ld. Counsel representing the Operational Creditor that the Operational Creditors unfortunately have died during the interregnum period, and therefore the substitution applications have been filed for bringing on record the LR's of the deceased/ Operational Creditors. The advance copy of the said applications have also been supplied to the Ld. Counsel representing the Corporate Debtor, who states that he does not have any objection to the present applications for bringing on record the LR's of the deceased/ Operational Creditors.
2. The said substitution applications have been filed on the e-portal of this Tribunal, however the same have not been listed as the same are pending before the Registry. However, the hard copies of the said applications have been filed in the Registry of this Tribunal *vide* diary nos.485, 486 and 487 dated 19.02.2024 respectively.
3. In view of the above stated position, the substitution applications are allowed and the LR's of the Operational Creditors are also brought on record.
4. In view of the above order, the LR's who have been brought on record would be entitled to lodge their respective claims before the IRP.
5. These are the petition under Section 9 of the Code. However, in the case of CP (IB) No.280/ALD/2018 titled as Devi Prasad v/s M/s Juggilal Kamlapat Jute Mills Co. Ltd. *vide* order dated 19th January, 2024, the petition filed U/s 9 of the Code was admitted and CIRP was initiated against the same Corporate Debtor.

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6. Since, all these matters are also against the same very Corporate Debtor, in which the CIRP has already been initiated vide our order dated 19th January, 2024, therefore all the above matters have become infructuous in the light of our order dated 19.01.2024. However, the Petitioners/ Applicants would be at liberty to lodge their claims before the IRP/ RP in accordance with law.
7. The Petitioners/ Applicants would also be entitled to revive their aforesaid respective company petition(s), if for any reasons, the CIRP initiated against the Corporate Debtor by virtue of our order dated 19th January, 2024 filed in the aforesaid matter of Devi Prasad does not continue or survive for any reasons whatsoever.
8. Ordered accordingly.
9. The photocopy of this order be placed on record in all the connected matters.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

19th February, 2024

Kavya Prakash Srivastava
(Stenographer)