

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
ALLAHABAD BENCH, PRAYAGRAJ**

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**IA No.617/2023 IN CP (IB) NO.307/ALD/2019**

**IN THE MATTER OF:**

[An application under Order I Rule X of Civil Procedure Code (CPC), 1908 r/w Rule 11 of NCLT Rules, 2016]

**IN THE MATTER OF:**

**KAMLESH KUMAR TANEJA**

**(RESOLUTION PROFESSIONAL IN CIRP OF CORPORATE DEBTOR; M/S MODINAGAR PAPER MILLS LTD.)**

Registered Address: New Cosmopolitan, A-405, Plot No.33,  
Sector-10, Dwarka, Near Metro Station, Sector 10,  
Vandana School, South West, NCT of Delhi-110075

**....APPLICANT**

***Versus***

**1. KOTAK MAHINDRA BANK LIMITED**

CIN: L65110MH1985PLC038137

**REGIONAL OFFICE:**

335, First Floor, Lekhraj Market 3  
Indira Nagar, Lucknow-226016

**2. NISHYAM BUILDCON PRIVATE LIMITED**

CIN: U45201DL2005PTC134978

Shop No.3, Plot No.2 (Basement)  
Ashish Complex LSC Rajdhani Enclave,

Near Bal Mandir School,  
Delhi-110092

**3. MR. RAMESH HIRALAL SHARMA**

G-3 Black Diamond CHS Khar  
Danda Road, Khar-West  
Maharashtra, Mumbai-400052.

**4. ANUBHAV GUPTA**

R/o E 19, Sector-7, Raj Nagar, Ghaziabad.

**5. VIKAS GUPTA**

R/o I-701, VVIP Addresses, Raj Nagar Extension,  
Ghaziabad-201017

**.....RESPONDENTS**

**IN THE MATTER OF:**

RAMESH HIRALAL SHARMA                      **.....FINANCIAL CREDITOR**

**Versus**

MODINAGAR PAPER MILLS LTD.                      **.....CORPORATE DEBTOR**

***Order pronounced on 23<sup>rd</sup> April, 2024***

**Coram:**

Mr. Praveen Gupta. :        Member (Judicial)

Mr. Ashish Verma     :        Member (Technical)

## **Appearances:**

Sh. Sumit Shukla alongwith Sh. Sanjeev Panda, Adv. : For the Applicant/IRP Sh. Kamlesh Kumar Taneja present in person in IA No.617/2023

Sh. Sandeep Arora, Adv. :For the Respondent in IA No.617/2023

## **ORDER**

1. This application has been filed by Kamlesh Kumar Taneja, the Resolution Professional of the Corporate Debtor (hereinafter referred as the “**applicant**”) seeking the following prayer:
  - a) To allow the present application and take on record the "Amended Memo of Parties" which should be considered as part and parcel of IA No.416/2023 in the interest of justice;
  - b) Issue Notice to the remaining respondents in IA 416/2023 as mentioned in the Amended Memo of Parties in the present application;
  - c) Pass any other order /direction which the Hon'ble Tribunal may deem fit in the interest of justice, equity and good conscience.

2. Considering the fact that this application is for amending the memo of parties of IA No.416/2023 and the fact that IA No.416/2023 has been rendered infructuous, this IA ipso facto fails and is therefore disposed of as infructuous.

-Sd-

**(Ashish Verma)**  
**Member (Technical)**

-Sd-

**(Praveen Gupta)**  
**Member (Judicial)**

**Date: 23<sup>rd</sup> April, 2024**