

DIVISION BENCH
COURT - II

O-207

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/802(KB)2019
IA(I.B.C)/770(KB)2022, IA(I.B.C)/39(KB)2023,
IA(I.B.C)/1636(KB)2022, IA(I.B.C)/454(KB)2022,
IA(I.B.C)/444(KB)2022, IA(I.B.C)/119(KB)2023

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 16TH JANUARY, 2023, 02:00 P.M

IN THE MATTER OF	SHIV LALIT BARTER PVT.LTD. VS DEV R. NIL DESIGNS PVT. LTD
UNDER SECTION	IBC UNDER SEC 9

Counsel/ Authorised Representative appeared through physically/Video Conference:

Mr. Rishav Banerjee., Adv.] For Applicant in IA 454/2022

Mr.Sourojit Das Gupta, Adv.]

Mr. Ashis Kumar Mukherjee,Adv.]

Mr.Om Narayan Rai, Adv.]For Respondent in IA 770/2022

Mr.S. Chakraborty, Adv.]

Mr. Balram Pandit, Adv.] For RP

Mr.S.Kanta Sataparthi ,RP]

ORDER

1. Ld.Counsel on both sides present.
2. **IA.(IBC) 454/KB/2022-** Vide order dated vide order dated 6th December, 2022, this Adjudicating Authority had directed the RP to make payment for the due rent as determined by him during the CIRP period. Today, the RP himself appeared in the court and submits that he is unable to do that because of Non-availability of the fund to the CoC. He also submits that he would again seek instructions from the CoC

member. 10 days' time is granted to the RP vide order dated 6th December, 2022, failing which, appropriate orders will be passed. Let the copy of this order be furnished to the CoC members as well.

3. List this matter on **21/02/2023**
4. **IA(IBC)39/KB/2023-** is an application filed by RP placing on record 6th Progress Report, which is at page 13 onwards and this petition is duly supported by an affidavit at page 3.
5. This progress report is taken on record and IA is accordingly is allowed and disposed of. List the matter on 21/02/2023.
6. **IA(IBC)119/KB/2023-**is an application filed by the RP placing on record 7th Progress Report, which is at page 14 onwards and this petition is duly supported by an affidavit at page 3. It is also submitted by the Ld.Counsel for the RP that one resolution plan has been received which has already put for e-vote and the voting shall come to an end on 17/1/2023.
7. This progress report is taken on record and IA is accordingly is allowed and disposed of. List the matter on 21/02/2023.
8. **IA (IBC)444/KB/2022-** Ld.Counsel appearing for the RP submits that in view of the directions vide order dated 6th December, 2022, the matter was pursued by them with the suspended board and suspended board has provided the necessary information required for conducting the resolution process.
9. In view of the above, it is apparent that this IA has run its course and is disposed of.
10. **IA(IBC)1636/KB/2022-** Ld.Counsel for the RP wishes to withdraw this IA and file a fresh application.
11. IA is accordingly **dismissed as withdrawn**.
12. **IA(IBC)770/KB/2022-** None for the applicant, list the matter on 21/02/2023.

Balraj Joshi
Member (Technical)

Bidisha Banerjee
Member (Judicial)