

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No 201- IA/64(AHM) 2022
ITEM No 202- IA/870(AHM) 2022
ITEM No 203- IA/274(AHM) 2023
ITEM No 204- IA/966(AHM) 2023
ITEM No 205- IA/1254(AHM) 2023
In
CP(IB) 759 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

Zielem Industries Pvt Ltd
V/s
Sintex-BAPL Ltd

.....Applicant

.....Respondent

Order delivered on: 15/12/2023

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Arpit Singhvi, Adv.
: Mr. Jeet Bhatt, Adv. for Mr. Harsh Pandya, Adv.
For the Respondent : Mr. Raheel Patel, Adv. a/w. Mr. Aalay Shah, Adv.

ORDER

IA/966(AHM) 2023

This is an application filed by the applicant herein for impleading Mr. Ashish Chhawchharia, erstwhile Resolution Professional of the corporate debtor as respondent in IA 64 (AHM) 2022. Learned Counsel for the erstwhile RP, Mr. Raheel Patel, submits that he has no objection if this application is allowed and he may be arrayed as respondent in IA 64(AHM) 2022 in replacing the erstwhile IRP.

In view of the above, we allow this application and direct the Applicant of this IA to take the necessary steps to amend IA 64 (AHM) 2022, adding the present erstwhile RP as a respondent in place of the erstwhile IRP.

Accordingly, **IA/966(AHM) 2023** is allowed and disposed off.

IA/64(AHM) 2022

Learned Counsel for the applicant undertakes to take steps for amending the cause title in the matter and provide a copy of the amended cause title to the erstwhile RP. Learned Counsel seeks and is granted seven days' time to comply with the

same. The Counsel appearing for the erstwhile IRP also seeks time to file a reply after receipt of the amended copy of the IA. Let a reply be filed, if any, within two weeks'. Thereafter, Rejoinder, if any, be filed with seven days before next.

Re-list for further consideration on 23.01.2024.

IA/1254(AHM) 2023

This is an application filed by the applicant seeking amendment in IA/274(AHM) 2023, in terms of the observations made by this Tribunal in order dated 18.07.2023 passed in IA/274(AHM) 2023. The applicant has sought this amendment in paras. 1, 2, 27, and 28, which are reproduced in the application itself in italic form. Counsel appearing for the erstwhile IRP submits that there is no need to file a reply to this IA and no objections for seeking amendment subject to the condition that he may be permitted to file an additional reply to the amended IA qua the amended paras.

Since this application is of a formal nature, on the observation of this Tribunal. Therefore, the amendment as sought in IA 274(AHM) 2023 is allowed and permits the applicant to amend the IA.

In view of the above, **IA/1254(AHM) 2023** is allowed and disposed off.

IA/274(AHM) 2023

Since the amendment has been allowed in IA/274(AHM) 2023, Learned Counsel for the applicant undertakes to take steps for amending the I.A. and provide a copy of the amended I.A. to the erstwhile RP. Learned Counsel seeks and is granted seven days' time to comply with the same. The Counsel appearing for the erstwhile IRP also seeks time to file a reply after receipt of the amended copy of the IA. Let a reply be filed, if any, within two weeks'. Thereafter, Rejoinder, if any, be filed with seven days before next.

Re-list for further consideration on 23.01.2024.

IA/870(AHM) 2022

Re-list on 23.01.2024.

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**SAMEER KAKAR
MEMBER (TECHNICAL)**

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**SHAMMI KHAN
MEMBER (JUDICIAL)**