

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - I**

ITEM No.9 – IA/556(AHM)2024  
ITEM No.10 – IA/559(AHM)2024  
In  
C.P.(IB)/238(AHM)2023

**Proceedings under Section 7 IBC**

**IN THE MATTER OF:**

Drip Capital Inc.

V/s

Girdhari International Private Limited

.....Applicant

.....Respondent

**Order delivered on 10/04/2024**

**Coram:**

**Mr. Shammi Khan, Hon'ble Member(J)**

**Mr. Sameer Kakar, Hon'ble Member(T)**

**PRESENT:**

For the Applicant :Mr. Monaal Davawala, Advocate  
For the Respondent :

**ORDER**

**IA/556(AHM)2024 & IA/559(AHM)2024**

**IA/556(AHM)2024**

This is an application filed by the Applicant/RP under Section 19(2) r. w. 60(5) IB Code, 2016 against the Respondent Nos. 1 to 3 seeking the following prayers:-

- a) *give appropriate directions to the Respondent No. 1 and 2 being the erstwhile directors/suspended management as well as other officers of the Corporate Debtor to co-operate with the applicant in CIRP of the Corporate Debtor and provide all documents and information as sought for by the applicant at Paragraph 4(f) hereinabove; and/or*
- b) *give appropriate directions to the Respondent No. 3 statutory auditor/auditor firm of the Corporate Debtor to co-operate with the applicant in CIRP of the Corporate Debtor and provide all documents and information as sought for by the applicant at paragraph 4(f) hereinabove; and/or*
- c) *grant any other relief or relief as may deem fit in the interest of justice.*

Learned counsel for the applicant submits that even the Suspended Management is not even allowing access to the registered office of the Corporate Debtor despite visit on 02.03.2024 & 06.03.2024.

Heard the learned counsel for the applicant and perused the records. We are inclined to issue notice at this stage to the R-1 & R-2/Suspended Management only. Meanwhile, the R-1 and R-2 are directed to co-operate with the learned RP in providing the access to the registered office of the Corporate Debtor.

Let notice be issued to the R-1 & R-2 by the Registry, returnable by next date. The Applicant is directed to collect the notice from the Registry within three days and serve upon the R-1 & R-2 along with copy of this order through Registered Ad post / Speed-post, Dasti mode as well as on the registered email ID of the R-1 & R-2 registered with the MCA within seven days.

The R-1 & R-2 may file reply, if any, within seven days from the date of receipt of notice. Rejoinder, if any, be filed with seven days thereafter.

Proof of Service be filed by way of an affidavit before the next date of hearing.

Re-list for further consideration on 24.04.2024.

**IA/559(AHM)2024**

This is an application filed by the IRP for placing on record the report dated 26.03.2024 certifying the formation of Committee of Creditors. The same is taken on record, with all just exceptions.

Place the report with the main file for further reference.

With this, **IA/559(AHM)2024** stands disposed of.

-Sd-

**SAMEER KAKAR  
MEMBER (TECHNICAL)**

-Sd-

**SHAMMI KHAN  
MEMBER (JUDICIAL)**