

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

ITEM No 7- IA 777 of 2022
In
CP(IB) 268 of 2020

Proceedings under Section 7 IBC

IN THE MATTER OF:

Arrow Engineering Ltd
V/s
Golden Tobbacco Ltd

.....Applicant

.....Respondent

Order delivered on ..26/09/2022

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)
Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Robin Jaisinghani, Adv.
For the Respondent : Mr. Jay Kansara, Adv.

ORDER

IA 777 of 2022

Application is filed by original financial creditor on whose behest the application initiating CIRP was admitted, who according to them, constitute more than 98% voting share in the CoC. This is an application filed seeking impleadment in IA 690 of 2022, and for vacating the interim stay granted in the said application. IA 690 of 2022 is filed by the financial creditor seeking direction to admit their claim, and thereby reconstitute the CoC, wherein till further orders the stay is granted. At this stage we are not inclined to issue any notice. Learned Counsel is relying on one judgment of Hon'ble NCLAT touching the same issue, whether the CoC member is required to be heard at the time of considering the claims of the other financial creditors who want to be part of CoC. The order of the Hon'ble NCLAT relied upon is not filed. Let the order be placed on record before the next date.

List on 17.10.2022.

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**