

**IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD**  
**COURT - 2**

ITEM No 2- IA 993 of 2022  
ITEM No 3- IA 994 of 2022  
In  
CP(IB) 138 of 2020

**Proceedings under Section 9 IBC**

**IN THE MATTER OF:**

Mr. Sanjay S Jaiswal Prop. Of Trigun Enterprise  
V/s  
Vivek Steelco Pvt Ltd

.....Applicant

.....Respondent

**Order delivered on ..18/11/2022**

**Coram:**

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

**PRESENT:**

For the Applicant : Mr. Jaimin Dave, Adv.  
For the Respondent :

**ORDER**

**IA 993 of 2022**

Application is filed by the respondent no. 5 in IA 215 of 2022, which was filed by the RP under Section 66 IBC, 2016. Learned Counsel for the applicant states that respondent no. 5 company was undergoing CIRP, and could not be represented, hence, an ex-parte order was passed on 07.09.2022, and right to file reply is closed. After coming into knowledge of the said ex-parte order, this applicant who is the Successful Resolution applicant of the original respondent no. 5 Company has filed this application seeking to set aside the ex-parte order, and allow them to file proper reply and represent the new incoming Resolution Applicant, who has stepped into the shoes of original respondent no. 5 company.

Considering the submission made, we allow the application, thereby set aside the ex-parte order passed against the original respondent no. 5 dated 07.09.2022, and grant two weeks time to file reply.

Application is allowed and disposed of.

## **IA 994 of 2022**

Application is filed by the respondent no. 8 in IA 215 of 2022, which was filed by the RP under Section 66 of IBC, 2016. Learned Counsel for the applicant states that respondent no. 8 company was undergoing CIRP, and could not be represented, hence, an ex-parte order was passed on 07.09.2022, and right to file reply was closed. After coming into knowledge of the said ex-parte order, this applicant who is the Successful Resolution applicant of the original respondent no. 8 Company has filed this application seeking to set aside the ex-parte order, and allow them to file proper reply and represent the new incoming Resolution Applicant, who has stepped into the shoes of original respondent no. 8 company.

Considering the submission made, we allow the application, thereby set aside the ex-parte order passed against the original respondent no. 8 dated 07.09.2022, and grant two weeks time to file reply.

Application is allowed and disposed of.

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**AJAI DAS MEHROTRA  
MEMBER (TECHNICAL)**

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