

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

ITEM No 201- IA 711 of 2021
ITEM No 202- IA 07 of 2022
ITEM No 203- IA 763 of 2022
In
CP(IB) 342 of 2020

Proceedings under Section 7 IBC

IN THE MATTER OF:

State Bank of India
V/s
Steelco Gujarat Ltd

.....Applicant

.....Respondent

Order delivered on ..21/12/2022

Coram:

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

PRESENT:

For the Applicant : Mr. Jaimin Dave, Adv. a/w. Ms. Hirwa Dave, Adv.
: Mr. Mayur Jugtawat, Adv. i/b. Mr. Vishal Dave, Adv.
: Mr. Kunal Vaishnav, Adv.

For Omkara Assets Reconstruction
Private Limited : Mr. Krishnendu Datta, Sr. Adv. a/w. Mr. Ajay Kumar, Adv.
: Ms. Harshita Ahluwalia, Adv. & Ms. Stuti, Adv.

For the Respondent No. 5 : Mr. Virender Ganda, Sr. Adv. Ms. Akansha Mathur, Adv.
: Ms. Sreemantini Mukherjee, Adv.
: Mr. Vikas Mishra, Adv. & Mr. Kartik Nagarkatti, Adv.
: Mr. Varun Ahuja, Adv.

ORDER

IA 711 of 2021

Learned Counsel for the applicant states that the application is filed by the claimant seeking directions against RP. He further states that the during the pendency of this application the applicant M/s. Bhadreshwar Vidhyut Pvt Ltd is admitted in CIRP vide order dated 18.10.2022, and instructions from IRP/ RP are yet to be received with respect to prosecution of this application, and requests to adjourn the matter.

List on 11.01.2023.

IA 07 of 2022 & IA 763 of 2022

During the hearing, the Bench has raised the query, and asked the Successful Resolution Applicant (SRA) and RP to coordinate for the submissions made in the application, and in the affidavits filed by the Successful Resolution Applicant (SRA).

Let the affidavit by SRA be filed with respect to the issues of the payments of workmen / employees dues, pre-CIRP and post-CIRP period be clarified and copy be submitted to the Learned Counsel appearing in IA 07 of 2022 which is application filed by the workers / employees for their claims. Let the copy of IA 07 of 2022 be provided to the Learned Sr. Counsel Mr. Ganda for SRA.

The Bench also sought clarification on (a) the validity of the Resolution Plan beyond December, 2022 as mentioned in the Plan and (b) the stage of appointment of consultants / technical management of the corporate debtor.

Revised Form-H, and affidavit with explanation dealing with the claims of employees / workmen may be filed, since in page 170 clause (d) a specific line is mentioned that “the increase of CIRP cost will be deducted from payment of workmen / employees”.
List on 11.01.2023.

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

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