

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH**

**COURT – IV**

16.

**MA 1378/2018  
IA 3461/2023  
IN C.P. (IB)/37(MB)2018**

CORAM:

MS. ANU JAGMOHAN SINGH  
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI  
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **25.09.2023**

NAME OF THE PARTIES:

Gandhar Oil Refinery Ltd  
Vs  
Siddheshwar Industries Pvt. Ltd

SECTION: 9, 60(5), 30 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016

**ORDER**

1. Mr. Navin Arora, Ld. Counsel for the Resolution Professional present.  
Mr. Manoj Kumar Mishra, Ld. Counsel for the Erstwhile IRP present. Ms. Sharanya Shivaraman, Ld. Counsel for the Operational Creditor present.
2. **MA-1378/2018:** This is an Application seeking direction from this Tribunal to direct the CoC to ratify and pay an amount of Rs.4,42,336/- towards first invoice of Rs.4,00,000/- and public announcement cost of Rs. 42,336/- to IRP.
3. The Applicant submits that CoC in its 2<sup>nd</sup> meeting held on 04.07.2018 resolved that the professional fees and expenses be approved and ratified by the Committee of Creditors of Siddheshwar Industries Private Limited. The expenses were paid by the Operational Creditor

but the fee of IRP Rs.4,00,000/- is not paid. Aggrieved by the action of the Operational Creditor, the IRP filed this application for initial payment of the fee of the IRP from 14.05.2018 to 30.06.2018. As per directions of this Tribunal, the initial fee and costs shall be borne by the Operational Creditor. Hence, it is hereby directed that the Operational Creditor shall pay Rs.4,00,000/- being initial fees of the IRP within one week from the date of receipt of this order.

4. In view of the above directions, MA-1378/2018 is **allowed and disposed** of accordingly.
5. **IA-3461/2023:** This is an Application filed u/s 30 by the Applicant. Heard the Counsel and perused the records. IA-3461/2023 is **reserved for orders.**

Sd/-

**ANU JAGMOHAN SINGH**  
**Member (Technical)**

Sd/-

**KISHORE VEMULAPALLI**  
**Member (Judicial)**