

NATIONAL COMPANY LAW TRIBUNAL
COURT ROOM NO. 1,
MUMBAI BENCH

Item No. 17

IA 634/2021 (Resolution plan) IA 1514/2021 IA 2514/2021 in C.P. (IB)/817(MB)2019

CORAM:

**SH. PRABHAT KUMAR JUSTICE VIRENDRASINGH BISHT (Retd.)
HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)**

ORDER SHEET OF THE HEARING ON **31.10.2023**

NAME OF THE PARTIES: **IDBI BANK LIMITED V/s M/S. IMPALA
DISTILLERY AND BREWERY LTD**

Section 60(5), 30 & 7 of the Insolvency and Bankruptcy Code, 2016

ORDER

IA 634/2021 (Resolution plan)

- 1) Mr. Prakash Shinde, Ld. Counsel for the Committee of Creditor in the present Interlocutory Application and Mr. Rohit Gupta, Ld. Counsel for the Resolution Professional of the Corporate Debtor are present.
- 2) Resolution Professional of the Corporate Debtor is directed to obtain confirmation from the Financial Creditor whether they have extended any benefit to the Corporate Debtor on account of its Registration under the MSME Act.
- 3) Resolution Professional is further directed to confirm breakup of the statutory liabilities, percentage wise payment made to the different classes of Creditors including sub-classes and a note how sub-classes within a class have been decided or confirmed.

4) Heard and Reserved for Orders.

IA 1514/2021

- 1) Mr. Nikunj Mehta, Ld. Counsel for the Applicants and Mr. Rohit Gupta, Ld. Counsel for the Resolution Professional of the Corporate Debtor are present.
- 2) Counsel for the Applicant has raised the issue on the MSME Registration of the Corporate Debtor, which entitles a Successful Resolution Applicant to participate in the Resolution of the Corporate Debtor, and has placed on record quantitative Parameters as per the Financial Statements, SRA's eligibility to remain MSME in view of provision under the MSME Act .
- 3) Heard and Reserved for Orders. Parties shall file and place on record written submissions within a week from today.

IA 2514/2021

- 1) None present for the Applicant, when the matter is called out. Mr. Rohit Gupta, Ld. Counsel for the Resolution Professional of the Corporate Debtor are present.
- 2) The present Interlocutory Application pertains to the Company Petition bearing CP (IB) No. 2223 of 2018; hence, the same is wrongly on Board today.
- 3) Registry is directed to not to list this matter again on Board in this Company Petition.

Sd/-

**PRABHAT KUMAR
MEMBER (TECHNICAL)**

Sd/-

**JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)**