

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

COURT – IV

21.

IA-990(MB)2024 IN
C.P. (IB)/398(MB)2023

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **15.04.2024**

NAME OF THE PARTIES: Saraswati Wire & Cable Industries
Vs.
Dhanlaxmi Electricals Private Limited

SECTION: 9, 19(2) OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016.

ORDER

IA-990(MB)2024

1. Mr. Ankur Khandelwal a/w Mr. Himanshu Handa, Ld. Counsel for the Applicant/IRP present.
2. The present Application has been filed by the Interim Resolution Professional ("IRP") under Section 19(2) of the Code against the Respondent/Suspended Directors of the Corporate Debtor for non-cooperation. The Corporate Debtor was admitted into CIRP by an Order dated 06.12.2023. Against the said CIRP order, the Respondent/Suspended Directors of the Corporate Debtor filed an appeal before the Hon'ble NCLAT. However, the Hon'ble NCLAT on 13.03.2024 passed the following order:

"29. In result, we allow the Appeal, set aside the order passed by the Adjudicating Authority and dismiss Section 9 application filed by the Operational Creditor. The IRP shall be paid his fee and expenses as fixed by the Adjudicating Authority by the Operational Creditor."

3. In view of the above order passed by the Hon'ble NCLAT, there is no further orders are required in this company petition, hence, C.P.(IB)/398(MB)2023 is rendered **infructuous and dismissed**. Accordingly, IA-990(MB)2024 also **dismissed as infructuous**. File to be consigned to records.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)