

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

216. IA/3612/2023 IA/3329/2023 IA/5349/2023 IA/5841/2023 IA/12/2024 IN
C.P. (IB)/518(MB)2022

IN THE MATTER OF

Saraswat Co-op. Bank Ltd

VS

Sristi Hospitality Private Limited

Section 7 of the Insolvency & Bankruptcy Code, 2016

Order Delivered on 05.04.2024

CORAM:

MS. REETA KOHLI
MEMBER (J)

MS. MADHU SINHA
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the RP:

Adv. Amir Arsiwala (PH)

For the Respondent No. 2:

Adv. Dujendra Kumar H. Sharma (PH)

ORDER

I.A. 3329/2023

The present I.A. is being preferred by the RP against non-cooperation on the part of the Respondent No. 1 & 2 who were stated to be Suspended Directors of Corporate Debtor. The Ld. Counsel for the Applicant submits that in view of the plans having been approved by the COC and listed for approval from the Hon'ble Court and in view of the continuous non-cooperation on the part of the Respondents, let the matter be referred to IBBI to take appropriate action. In view of the submission made IBBI is directed to initiate action. Let this order be brought to the attention of the IBBI. The I.A. be disposed of in the said terms.

I.A. 5349/2023

The relief sought under this I.A. has already been granted vide order dated 22.11.2023 and under the protection of the order, the RP has been able to perform his duties. In view of the fact that the Plan has already been approved by the COC and is pending for approval before the Hon'ble Tribunal. Thus, this I.A. has now become infructuous. In view thereof, the I.A. be disposed of as having been rendered infructuous.

I.A. 5841/2023, I.A. 12/2024

None for the Respondents. In the interest of Justice, adjourned to **06.05.2024**.

I.A. 3612/2023

Heard the Ld. Counsel for the Applicant. **Reserved for orders.**

Sd/-
MADHU SINHA
Member (Technical)
Shubham

Sd/-
REETA KOHLI
Member (Judicial)