

**NATIONAL COMPANY LAW TRIBUNAL**  
**MUMBAI BENCH, COURT-II**

**9. IA 367/2024 In C.P. (IB)/4336(MB)2019**

**CORAM:**

**SHRI ANIL RAJ CHELLAN**  
**HON'BLE MEMBER (T)**

**SHRI KULDIP KUMAR KAREER**  
**HON'BLE MEMBER (J)**

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 02.02.2024**

**NAME OF THE PARTIES: - Consortium of Viraki Brothers Dipen  
Shah and Anish Shah  
V/s  
Monitoring Committttee Through Its  
Monitoring Agent Mr. Hari Kishan  
Bhoklay  
IN THE MATTER OF  
Pentaaleon Packaging LLP  
V/s  
Himadri Foods Limited**

**Section: 60(5), 9 of the Insolvency and Bankruptcy Code, 2016**

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**ORDER**

**IA.No.367/2024:** - Adv. Smith Shah appeared for the Applicant. Mr. Hari Kishan Bhoklay, RP appeared in person through VC. This IA has been filed by the Resolution Applicant with the prayer that the Monitoring Committee be dissolved and also the Monitoring Committee be directed to transfer the unpaid amount of Rs.4,03,672/- to the Applicant. It has been pointed out by the counsel for the applicant that as per the Resolution Plan, the entire payment of Rs.35.65 Crore has been disbursed and only an amount of Rs.4.03 Lakh has not been disbursed due to the reason mentioned in para 5 of the application. The Successful Resolution Applicant further has offered to undertake and keep the amount of Rs.4.03

Lakh in a Fixed Deposit and to pay the creditors as and when the claim is made by the creditors concerned. Since the entire amount as per the Resolution Plan has already been paid and only an amount of Rs. 4.03 Lakh is pending, it would be appropriate to dissolve the Monitoring Committee. It is ordered accordingly.

So far as the amount of Rs. 4.03 Lakh is concerned, the same shall be transferred to the applicant who shall retain the same in a Fixed Deposit for a period of one year and shall pay as and when demanded by the creditors mentioned in para 5 of the application. Further, anything observed in this order will not preclude the Monitoring Agent of the Monitoring Committee from substituting the name of STCI Finance Limited in the pending in the PUFEE applications. With the aforesaid observations, **IA.No.367/2024 is allowed and disposed of.**

**Sd/-**  
**ANIL RAJ CHELLAN**  
**Member (Technical)**  
*JAGDISH*

**Sd/-**  
**KULDIP KUMAR KAREER**  
**Member (Judicial)**