

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**BENGALURU BENCH**  
**(through web-based video conferencing platform)**

**ITEM No.27**  
**I.A. No.371 of 2020 in**  
**C.P. (IB) No.17/BB/2019**

**IN THE MATTER OF:**

M/s. Oriental Bank of Commerce ... Petitioner  
v.  
M/s. IDEB Projects Pvt. Ltd. ... Respondent

**Order under Section 7 of Insolvency & Bankruptcy Code, 2016**

**Order delivered on: 20.09.2022**

**CORAM:**

**SH. KISHORE VEMULAPALLI**  
**HON'BLE MEMBER (JUDICIAL)**

**SH. MANOJ KUMAR DUBEY**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant in I.A.  
No.371 of 2020 : Ms. Meghana

For the Respondent in  
I.A. No.371 of 2020/Liquidator : Shri Aakash Sherwal

**ORDER**

**I.A. No.371 of 2020**

1. Heard Ms. Meghna, learned Counsel for the Applicant and Shri Askash Sherwal, learned Counsel for the sole Respondent/Liquidator.
2. This Application has been filed by Shri R. Sandeep and Ors. under Section 60(5), r/w Section 42 of the IBC, and Rule 11 of the NCLT Rules, 2016 for seeking to set aside the decision of the Liquidator dated 28.08.2020; direct the Liquidator to admit the claim of the Applicants dated 21.12.2019 and adjudicate the same in terms of the Code and law etc.
3. The learned Counsel for the Respondent/Liquidator submits that an appeal has been preferred against the Arbitral Award is still pending before

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the Hon'ble Principal District Court, Bangalore. Hence, the claim was rejected.

4. In the circumstances, and for the reasons mentioned in the application and since the liquidation process is still going on, the instant I.A. is allowed as under:
  - a. The Liquidator is directed to reconsider the claim of the Applicant in accordance with the Code and Regulations made thereunder and to pass an appropriate order within one week from the date of receipt of this order and communicate the same to the Applicant forthwith thereafter;
  - b. However, this order will be subject to outcome of the appeal filed against the Arbitral Award pending before the Hon'ble Principal District Court, Bangalore;
  - c. The Applicant shall co-operate with the Liquidator and shall furnish whatever documents information required to be furnished to the Liquidator, to enable him to consider the claim, in the specified time.
5. Accordingly, I.A. No.371 of 2020 is disposed of.

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**(MANOJ KUMAR DUBEY)**  
**MEMBER (TECHNICAL)**

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**(KISHORE VEMULAPALLI)**  
**MEMBER (JUDICIAL)**

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