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

ITEM No.14
I.A.Nos.295/2021 & 452/2022 in
C.P.(IB)No.165/BB/2018
C/w.
C.P.(IB)No.135/BB/2018

IN THE MATTER OF:

M/s. Radico Khaitan Limited ... Petitioner
Vs.
M/s. B T & F C Private Limited & Anr. ... Respondent

Order under Section 9 of I&B Code, 2016

Order delivered on 15.11.2022

CORAM:

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

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

PRESENT:

For the Applicant : Ms. Ayushi Agarwal
For the Liquidator : Shri Shyam Harindra
For the CoC : Mrs. Chitra Nirmala

ORDER

I. I.A.No.295/2021:

1. This Application has been filed by Shri Pankaj Srivastava, Resolution Professional of Corporate Debtor (Applicant), U/s. 60 (5) of the IBC, 2016 R/w. Rule 11 of the NCLT Rules, 2016, by seeking to direct the Members of the erstwhile Committee of Creditors of the Corporate Debtor represented by the Resolution Professional Mr. Shivadutt Bannanje to disburse unpaid IRP costs amounting to Rs.30,91,656/- to the Applicant.
2. Heard Ms. Ayushi Agarwal, learned Counsel appearing for the Applicant and Shri Shyam Harindra, learned Counsel appearing for the Liquidator and Chitra Nirmala, learned Counsel appearing for the Respondent Nos.2 to 4.

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3. Vide Order dated 20.07.2022, the Counsel for the Applicant in I.A.No.295/2021 was directed to make payment and to file receipt of payment within three weeks' time. However, the same is not complied with.
4. The Ld. Counsel for the Respondent Nos.2 to 4/COC Members submits that she has filed an Appeal U/s.61 of the IBC, 2016 before the Hon'ble NCLAT, Chennai on 19.08.2022, seeking to set aside the Order dated 20.07.2022 in I.A.No.295/2021 in C.P.(IB)No.165/BB/2018 connected with C.P.(IB)No.135/BB/2018 passed by this Adjudicating Authority.
5. In the circumstances, two weeks' time is granted to the Respondent Nos.2 to 4/COC Members to get status from the Hon'ble NCLAT, Chennai.
6. List the case on **16.12.2022**.

II. I.A.No.452/2022:

1. The Application has been filed by Mr. Shivadutt Bannanje, Liquidator, U/s.60 of the IBC, 2016 R/w. Regulation 15 of the IBBI (Liquidation Process) Regulations, 2016, for seeking to take on record the 2nd quarter Progress Report from 01.07.2022 to 30.09.2022.
2. Heard Shri Shyam Harindra, learned Counsel appearing for the Liquidator.
3. In the circumstances, and for the reasons mentioned in the Application, the I.A., is hereby allowed by taking on record the 2nd Progress Report.
4. **Accordingly, I.A.No.452/2022 is disposed of.**

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(MANOJ KUMAR DUBEY)
MEMBER (TECHNICAL)

- Sd -

(KISHORE VEMULAPALLI)
MEMBER (JUDICIAL)

Shruthi