

**NATIONAL COMPANY LAW TRIBUNAL**

**NEW DELHI BENCH**

(IB)-702/ND/2018

COARM:

**PRESENT: MS. SAROJ RAJWARE**  
**HON'BLE MEMBER(T)**

**MS. INA MALHOTRA**  
**HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 01.10.2019**

**NAME OF THE COMPANY: Super Print Services V/s. M/s. Xalta Food and Beverages Pvt. Ltd.**

**SECTION OF THE COMPANIES ACT: 9 of IBC, 2016**

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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<b>Present for the Petitioner:</b>	Mr. Kshitij Sharda, Advocate Mr. Naveen Kumar Jain, RP Mr. Brijesh Kumar & Mr. Khyati Bhardwaj, Advocates for IRP Mr. Alok Sharma, Advocate
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<b>Present for the Respondent:</b>	Mr. Abhishek Anand, Advocate for ex-Director Ms. Amita Kumari, Advocate for HDFC Bank Ltd. Mr. Shriya Raj, Advocate for Hero Fin Mr. Puneet Goyal, Mr. Mriturjay Kumar, Ms. Mamta Samhney, Mr. Vaibhav, Mr. Alok Sharma, Mr. Roshan Agarwal, Mr. Mayank Mishra, Ms. Pallavi Kumar, Mr. Harsh Sinha, Mr. Deepak Gupta, Advocates Mr. Saurabh Kalia, Ms. N Nagar & Mr. Sidharth Tandon, Advocates for Intervenor
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**ORDER**

It is the grievance of the RP that members of the CoC have not paid towards the running cost of the CIR process. All bills raised should have been pre-approved by the CoC, who would then be bound to pay for them. The CoC shall

(Ginni)

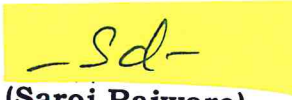


also make separate provision for paying the lease rent for the premises occupied, as the plant and machinery cannot be shifted out.

Cost shall be met by the various financial claimants in proportion to their claims. We make it abundantly clear that claimants who do not contribute towards the CIR cost, would be disentitled to their claims being entertained. The RP shall file an affidavit who are the defaulting members in the CoC who have not paid and to what extent.

Another application is pending filed by the Resolution Applicant who is aggrieved by disqualification of his plan under Section 29A. To come up on 14<sup>th</sup> October, 2019. All bailable warrants be kept in abeyance till the next date of hearing.

List only CA-670/19 for hearing on the next date of hearing.

  
**(Saroj Rajware)**  
**Member (T)**

  
**(Ina Malhotra)**  
**Member (J)**