

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

ITEM No. 120
(IB)-297(PB)/2018

IN THE MATTER OF:

Col. Sanjeev Dalal (Retd.)

.... Applicant/petitioner

Vs.

M/s. International Recreation & Amusement Ltd. Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, CIRP

Order delivered on 18.03.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR

HON'BLE PRESIDENT

SH. S. K. MOHAPATRA

HON'BLE MEMBER (TECHNICAL)

PRESENTS:

For the RP:

Mr. Dhruvad Das, Mr. Pranay Agarwal, Mr. Mohd. Nazim Khan, Mr. Mohtashim Kibriya, Mr. Deepak Motla & Ms. Tanvi Jain, Advs. & Mr. Sanyam Goel, PCS, Mr. Mohd. Nazim, PCS for RP

For the respondent

Mr. Vivek Malik, Adv. for R1

Mr. Divyam Agarwal, Adv. for Mr. Atul Singh, Adv. for R3

Mr. Rajiv Sikri, Sr. Adv. for R4 & 9.

Mr. Anand Chibber, Sr. Adv. with Mr. Gaurav Mankotia, Mr. Sudeep Cecil, Advs. for R2 in CA-1313/18

Mr. Jayant Mehta, Ms. Vrinda Agarwal, Advs. for R1 in CA-1313/18

Mr. Gautam Singh, Mr. Karanveer Jindal, Advs. for R9. & 11.

Mr. Sachin Datta, Sr. Adv., with Mr. Mithilesh Kumar, Ms. Sadiqa Fatima, Mr. Dharamendra Verma Advs. for R4, 10, in CA-1313/2018 and for all respondents in CA979/2018.

Mr. Vijay Nair, Mr. Varun Garg, Advs. for R3 & 9 in CA-1313/18

Mr. F.S Dhiman, Adv. for R6

ORDER

CA-979(PB)/2018:-

This is an application filed under Section 19 (2) & (3) of the Insolvency and Bankruptcy Code, 2016 with a prayer for seeking co-operation and assistance from the ex. Management and other employees of the corporate debtor to the Interim Resolution





Professional. In response to the application, an affidavit of one Mr. Rakesh Babbar has been filed which is far from satisfactory at page 5 (Annexure 2). A perusal of page 5 (Annexure 2), it is clearly revealed that despite the information within the possession of the respondent 1, the information has been withheld on the ground that it did not match the claimants mentioned in the list of creditors or claimants sent by the Interim Resolution Professional. Respondent 1 company has to simply furnish the information which is in its possession and is not required to go into the fact whether it matches or it does not match with the data provided by the IRP. Mr. Rakesh Babbar and others are directed to co-operate with the IRP and furnish every information which is in their possession without sitting over it on one excuse or the other. The needful shall be done within next ten days failing which all of them shall remain present in person in the court on the next date of hearing.

List on 12.04.2019.

CA-1313(PB)/2018:-

Reply by all the respondents have been filed and those who have not furnished copy to the counsel for the IRP may do so during the course of the day.



Rejoinder, if any, be filed within a week with a copy in advance to the counsel opposite.

List for arguments on 12.04.2019.

CA-239(PB)/2019 & CA-88(PB)/2019:-

This order shall dispose of CA-239(PB)/2019 & CA-88(PB)/2019.

In view of the law laid down in the judgment of this Tribunal in the case of Nikhil Mehta & sons (HUF) & ors. v. M/s. AMR Infrastructure Ltd. passed in CA No. 811(PB)/2018 in CP No. (IB)-02(PB)/2017 decided on 28.09.2018, we accord the approval for holding of proceedings in accordance with law.

The applications stand disposed of.

CA-484(PB)/2019:-

Notice of the application be issued to non-applicant for 12.04.2019.

Process dasti.

List on 12.04.2019.

Sd/-

(M.M.KUMAR)
PRESIDENT

Sd/-

(S. K. MOHAPATRA)
MEMBER (TECHNICAL)