

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-348(ND)/2017

**PRESENT: SMT. INA MALHOTRA,
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 25.09.2018.**

**NAME OF THE COMPANY: M/s. Rachna Sarees Vs. Charming Apparels Pvt.
Ltd.**

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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Present for the Petitioner:	Mr. Alok Kumar Kuchhal	IRP	In person	
Present for the Respondent:	Ms. Sandhya Chawla		for Kotak Mahindra	
	Ms. Yamini Khurana		Advocate for HDFC Bank	

ORDER

On the last date of hearing the decision of the CoC to replace the RP by Mr. Arvind Garg, Resolution Profession had been intimated to this Bench. However, no application under Section 22(3)(b) of the Code has been filed. Written consent and the certificate of registration of Mr. Arvind Garg are on record.

Ld. Counsel appearing for the CoC has filed this application CA 581/2018 submitting that the 180 days of the CIR Process had expired on 14th September, 2018. However, no resolution could be passed by the CoC for seeking extension of the time as the existing RP has not convened any meeting. Pending discharge

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of the earlier RP, he is directed to convene the meeting and take appropriate steps. It is made clear that the up to date remuneration of the existing RP shall be cleared before he is replaced. To come up on 4th October, 2018 date already fixed.



(Ina Malhotra)
Member (J)