

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI
COURT-III

IB- 22/ND/2018
(CA No.259, 260, 261 & 267/C-III/ND/19)

In the matter of :
Oriental Bank of Commerce
Vs.
Shekhar Resorts Ltd& Ors.

.. PETITIONER
.. RESPONDENT

SECTION
Under Section 7 of IBC, 2016

Order delivered on 26.4.2019

Coram :
Sh. R. Varadharajan,
Hon'ble Member (Judicial)
Ms. Deepa Krishan,
Hon'ble Member (Technical)

For the Petitioner /Op. Creditor : Mr. Saurabh Jain, Advocate and Mr. Siddharth Jain,
Advocate for applicant/ Op. Creditor

For the Respondent/Corporate Debtor : For Mr. Vikram Singh,RP : Mr. Abhishek Anand,
. Chetna Singh, Mr. Tushar Tyagi, Advocates

For the Intervener :

ORDER

Learned Counsels for the parties are present. CA No.260/C-III/ND/2019 has been moved by one Mr. Naresh Kumar Sharma, ex-Managing Director of the Corporate Debtor seeking for directions to be issued against the Resolution Professional as prayed in the said Application. Ld. Counsel for the R.P. is present. Let reply, if any, be filed within 10 days from today.

Post this application on 06.5.2019

CA-261/C-III/ND/2019 : is moved by Mr. Naresh Kumar Sharma, ex-Managing Director of the Corporate Debtor seeking directions against the Resolution Professional. Let reply by R.P. be filed within 10 days.

Contd -



Post this application on 06.5.2019.

CA-259/C-III/ND/2019 : This application has been moved by one of the Operational Creditors under the Corporate Insolvency Resolution Process (CIRP) aggrieved that the claim as made by the applicant has not been accepted by the R.P. It is represented by Ld. Counsel for the R.P. that since the claim was sent to the office of the Corporate Debtor and ^{not} to him and further the claim was also filed after the expiry of 90 days, the R.P. is not in a position to accept the claim. However, taking into consideration the interest of justice, let the claim as made by the Operational Creditor be considered by the R.P. on merits. The Resolution Professional is directed to act accordingly.

With the above directions, this application stands disposed off.

CA No.267/C-III/ND/2019 : This Company Application has been filed by the proposed Resolution Applicant. Ld. Counsel for the applicant is present. Ld. RP is directed to file reply, as may be necessary, to this application including maintainability, for which, 10 days time is granted.

Post this application on 06.5.2019.

It is further observed that in relation to this application, we are not giving any directions to the COC in relation to the decision that may be arrived at by it.

- Sd -

(DEEPA KRISHAN)
MEMBER (TECHNICAL)

- Sd -

(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Surjit
26.4.2019

I B-22/ND/18