

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH

ITEM No. 03
(IB)-1248(PB)/2018

IN THE MATTER OF:

Shinoj Koshy Applicant/petitioner
v.
M/s. Granite Gate Properties Pvt. Ltd. Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016(CIRP)

Order delivered on 19.07.2019

Coram:

SH. R. VARADHARAJAN,
HON'BLE MEMBER (JUDICIAL)

DR. V. K. SUBBURAJ,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant	Mr. P. Nagesh, Mr. Rachit Mittal, Ms. Tanvi Aggarwal & Mr. Dhruv Gupta, Advs.
For the IRP	Mr. Vinod Chaurasia & Mr. Achinit Gupta, Advs. with Mr. Manoj Kumar Garg
For the Resolution Applicant	Dr. M.K. Pandey, Adv.

ORDER

CA-1338(PB)/2019

This is an application moved by the financial creditor taking into consideration the order passed by this Tribunal on 10.06.2019 wherein a specific direction was given by this Tribunal in CA-1046(PB)/2019 to consider the applicant as a financial creditor, namely-New Okhla Industrial Development Authority (for brevity 'NOIDA'). It is pointed out by the Ld. Counsel for the applicant that a report filed by the Interim Resolution Professional for the claim of the applicant being accepted and the said report of the Resolution

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Professional has been taken on record as per the said order dated 01.07.2019, subject to all just exceptions. It is brought to the notice of this Tribunal by Ld. Counsel for the applicant that subsequent to the above two orders, a communication has been sent by the Resolution Professional dated 12.07.2019 which according to the Ld. Counsel for the applicant goes against the grain of the order passed by this Tribunal on 10.06.2019 as well as taking into consideration the report of the IRP passed on 01.07.2019 and in the circumstances seeks inter alia, that till the disposal of the application no further CoC meeting is to be convened as the interest of the applicant will be seriously prejudiced. Notice of this application is duly taken by the counsel for the IRP/RP. Upon a query if any CoC meeting is contemplated to be convened Ld. Counsel for the IRP/RP represent that to his knowledge no such meeting is proposed and in the circumstances the statement is taken on record. An opportunity is given to the IRP/RP to respond to this application within one week from today with a copy in advance to the counsel opposite.

Post the matter on 29.07.2019.

Sd/-

(V. K. SUBBURAJ)
MEMBER (TECHNICAL)

Sd/- (R)

(R. VARADHARAJAN)
MEMBER (JUDICIAL)