

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-702/ND/2018

CORAM:

**PRESENT: 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 18.02.2019.**

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

SECTION OF THE COMPANIES ACT: U/s 9 of IBC Code

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
Present:		Mr. R.S. Suri, Sr. Advocate with Kshitij Sharda, Simran Sharma, Mr. Anjan Chakraborty, Mr. Akshay Kapoor, Mr. Aditya Giri, Advocates for the Petitioner.		
		Mr. Abhishek Anand, Mr. Tyagi, Advocate for the R- 1& 2, Mr. Brijesh Tamber, Mr. Avirup Benjamin, Ms. Tanisha, Mr. Ramakant Rai, Mr. Avdhesh Varshney, Advocates for RP and COC.		

ORDER

Two CA's have been filed by the Karur Vysya Bank, one of the major claimants in the COC. Vide these applications, prayers have been made for replacement of the RP and challenging the decision of the RP for conversion of a Financial Creditor to an Operational Creditor. Notice of these CA's is accepted by the ld. counsel appearing for the Director of the suspended board, and the RP.

It is submitted by Mr. Anjan Chakraborty, ld. counsel appearing for the petitioner since the affidavits of were not affixed to the two application, the same have been

(Dilshad)



filed separately, and may be taken on record. Be annexed to the Cas on being received from the Registry.

It is also being brought to the notice of this Bench that direction to pay the lease rent in terms of order dated 21st December, 2018 was duly modified by the Hon'ble NCLAT vide its order dated 31.01.2019, granting time till 15.02.2019. However, some more time is being prayed for to comply with the said order. Last opportunity is being given to the COC to ensure that the lease rent is released to the landlord within one week. Compliance report be filed.

CA 137/2019 has been filed by the RP for setting aside undervalued transactions. Reply to the same has not been filed by the ex-directors. Let reply be filed.

To come up for arguments and disposal on 14th March, 2019.

Another application has been filed by the RP which is not listed today. Notice of the same is accepted by ld. counsel appearing for the non-applicants 1, 3 & 4.

List these applications for arguments and disposal

Let steps be taken in accordance with the order.


(Ina Malhotra)
Member (J)