

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-702/ND/2018

CORAM:

**PRESENT: MR. L. N. GUPTA
HON'BLE MEMBER(T)**

**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 26.08.2019.

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

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
--------------	-------------	--------------------	-----------------------	------------------

Present:	Mr. Kshitij Sharda, Advocate for the Petitioner in CA 133/2019 Mr. Brijesh Kumr Tamber , RP for Xalta Mr. Naveen Kumar Jain, RP of Corporate Debtor Mr. Anjan Chakraborty, for Karur Vysya Bank Ltd. Mr. Mayank Mishra and Mr. Ashish Joshi, Advocates for Oasis Beverages Pvt. Ltd. Ms. Simran Sharma, Advocate for HDFC Bank Mr. Saurabh Kalia and Ms. Parika Thakral, Advocates for CA-179/2019 Mr. Abhishek Anand, Advocate for Respondent			
-----------------	---	--	--	--

ORDER

CA 133/2019 has been filed by way of contempt by the Operational Creditor whose premises had been taken on rent by the Corporate Debtor and continues to remain in their possession during the resolution process. The plant and machinery of the Corporate Debtor installed in the said premises cannot be taken out. The applicant is aggrieved by the fact that during the process of the CIR, the rent has not been paid which has caused financial stress on them.

Since there are some members of the COC who have not contributed towards the CIR costs, it would be necessary and expedient to issue show case why their claim should not be rejected if they do not contribute towards the share of the CIR costs proportionate to their claim. The details of the members of


the COC be filed within 1 day with copy to the applicant who shall take steps to serve each defaulting member of the COC. The RP shall give details as to which Member of the COC has contributed how much. Renotify this case for further consideration on 19th September, 2019.

CAs 607/2019 & CA 183/2019 shall be reheard again as this Bench has been reconstituted.

Notice be effected by all modes to the Members of the COC returnable on 19th September, 2019.



(L. N. Gupta)
Member (T)



(Ina Malhotra)
Member (J)