

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-503

IB-2728/ND/2019

(1) New IA/2810/2021

(2) IA/1482/2021

IN THE MATTER OF:

Om Logistics Ltd

V/s.

Servel India Pvt Ltd

....Applicant

....Respondent

SECTION

U/s 9 IBC

Order delivered on 08.07.2021

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mohit Nandwani Adv for Resolution Applicant in IA 2810/21,
CS Prabhakar Kumar and CS Suraj Sharma

For the Respondent

: Adarsh Rai, Advocate for Respondent no.-4, Adv. Kartikeya Jain
for Respondent 1, 3, 5 and 6 in IA/1482/2021

ORDER

IA/1482/2021:-

Mr. Kartikeya Jain, has appeared on behalf of Respondent no. 1, 3, 5 and 6. Mr. Adhesh has appeared on behalf of Respondent no. 4. None has appeared on behalf of Respondent no. 2.

Ld. Counsel for the petitioner has informed that the Respondent no. 4 is the Director of Respondent no. 2 company but Ld. Counsel for Respondent no. 4 submits that he will seek instructions then appear on behalf of Respondent no. 2 .

Ld. Counsel for Respondent no. 4 also submits that he has not received the copy of petition. Although, Ld. Counsel for the petitioner submits that he has served the copy of the petition through email as well as through the registered post.



So, without going into the merits of the facts, the petitioner is directed to serve the copy of the petition on the email id of the respondent no. 4 during the course of the day. Ld. Counsel for Respondent no. 4 is also requested to share his email id with the petitioner's counsel in course of the day.

All the respondents are directed to file the reply within one week from today. List the matter on **03.08.2021**.

IA-2810/2021:-

The applicant is directed to serve the copy of the Resolution Plan to the Resolution Applicant as well as Suspended Board of Directors. The applicant was asked to elaborate whether the Resolution Plan is fair and equitable in terms of explanation 1 to Sec 30(2)(b) of IBC, submit latest audited balance sheet of Corporate Debtor (including details of immoveable property), information about guarantors of CD and whether there is any issues u/s 43, 66 IBC, sources of generation of funds etc. The applicant was also asked the amount involved in another Resolution Plan submitted by Girriraj and how the current (Pooja) Resolution plan has identified the cause of default, details of effective implementation etc. It was also pointed out that there was hardly any provision for Government dues of Rs. 11.0 crores.

List the matter on **03.08.2021**. Ld. Counsel for the RP informed that there are other related matters, which are still pending. He is directed to furnish a list of the matters pending relating to this Corporate Debtor and thereafter, the Registry is directed to list all the related matters along with IA-2810/2021 on that date.


(K.K. VÖHRA)
MEMBER (T)


(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

Chirag