

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT – IV

ITEM No. 1
IA-2252/ND/2021
(IB)-2178(ND)2019

IN THE MATTER OF:

Amit Arya ... Applicant

Vs.

Banyantree Developers Pvt. Ltd. ... Respondent

Order under Section 7 of IBC.

Order delivered on 19.05.2021

Coram:

DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)

MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the IRP : Mr. Akash Srivastava, Ms. Aishwarya, Advocates
For State Bank of India : Mr. Siddharth Singh, Advocate

ORDER

IA-2252/ND/2021:

This is an application filed by CoC seeking replacement of IRP and appoint new RP under Section 12(2) of the IBC, 2016. Learned Counsel for the CoC states that this Bench had appointed Mr. Anil Tayal as IRP vide order dated 01.03.2021. The CoC in its 2nd meeting held on 20.04.2021 passed Resolution to change IRP and appoint new RP with 96.85% voting share and to appoint Mr. Debashish Nanda as new RP of the Corporate Debtor. The minutes of the said meeting of CoC along with the e-voting results is annexed with the application. Form-AA being the consent of the proposed RP is also annexed. At this stage, Mr. Akash, Learned Counsel appearing for IRP states that the expenses incurred and his fees are yet not paid. The CoC is directed to co-ordinate with IRP Mr. Anil Tayal and pay his expenses and fees within 2 weeks. We allow the application, thereby confirm the appointment of Mr. Debashish

Nanda as the RP of the Corporate Debtor. The RP is also directed to take appropriate steps to settle the dues of the erstwhile IRP.

The application is **allowed and disposed of** in terms of above order.

Sd/-
SUMITA PURKAYASTHA
MEMBER (TECHNICAL)

Sd/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

UPASANA