

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

ITEM No. 109
IB- 1526/(ND)/2019
IA No. 1817/ND/2020

IN THE MATTER OF:

Amritvani Exim Pvt. Ltd.
Vs.
Ajanta Offset and Packaging Ltd.

....Applicant

....Respondent

Order under Section 9 of IBC.

Order delivered on 16.02.2021

Coram:

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

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

PRESENTS:

For the Applicant :
For the RP : Mr. Pallav Kulshrestha, Adv.
For the Respondent :

ORDER

IA No. 1817/ND/2020:

Application filed by RP seeking direction against Dakshin Bijli Vitran Nigam mainly for restoration of the electricity connection to the Corporate Debtor and continuous supply thereafter. Learned Counsel for RP states that CIRP order was passed on 04th February 2020. The RP had paid an amount of Rs. 6,86,311/- to the non-applicant respondent. In spite of making payment immediately, the non-applicant Bijli Vitran Nigam had disconnected the electricity supply on 19th February 2020. Learned Counsel for respondent states that as per the instructions, said payment of Rs. 6,86,311/- was adjusted against pending dues and after deducting the same further amount of Rs. 5,79,682/- is payable to the non-applicant. Learned Counsel states

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that in spite of asking details of the amount payable by the RP post CIRP order i.e. 04th February 2020 upto 19th February 2020 (the date of disconnection), the said calculation was not given to the RP. Learned Counsel further states that till date the Bijli Vitran Nigam has not clarified the total amount payable by the RP post CIRP order. Considering the submissions made, the Bijli Vitram Nigam is directed to restore the connection of electricity to the Corporate Debtor forthwith on receiving this order and shall continue the supply the same. The non-applicant has a remedy with respect to the dues prior to CIRP. With these directions, application is allowed and disposed of.

SD/-

SUMITA PURKAYASTHA
MEMBER (T)

SD/-

DR. DEEPTI MUKESH
MEMBER (J)