

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**PRINCIPAL BENCH**

**ITEM No. 111**  
**(IB)-275(ND)/2019**

**IN THE MATTER OF:**

Central Bank of India  
Vs

...

Applicant/Petitioner

M/s. Abhinav Steel and Power Ltd.

...

Respondent

**Order under Section 7 of Insolvency & Bankruptcy Code, 2016, CIRP.**

**Order delivered on 05.01.2021**

**CORAM:**

**SH. B.S.V. PRAKASH KUMAR**  
**HON'BLE ACTG. PRESIDENT**

**SH. HEMANT KUMAR SARANGI**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the RP : Mr. Vinod Chaurasia, Adv.

**ORDER**

The RP has filed IA-3145/2020 before this Bench for stay of Recovery Certificate issued by the Electricity Department against a company i.e., Abhinav Steels Private Limited, whereas now the application filed by the RP is on behalf of Abhinav Steel and Power Limited seeking stay of the Recovery Certificate issued against the company aforementioned.

When we have asked as to how Abhinav Steel & Power Limited RP could ask stay over the Recovery Certificate issued against Abhinav Steels Private Limited, the RP Counsel is not in a position to place material as to whether the company mentioned in the Recovery Certificate has been merged with the Corporate Debtor or whether the name of that company is changed as Abhinav Steels & Power Limited.



We are of the view that RP has filed this application without looking whether he has sufficient material to file this application.

In view thereof, this IA-3145/2020 seeking for stay of Recovery Certificate is hereby **dismissed as misconceived**.

As to other applications, one has been filed for asking for extension of CIRP after liquidation application has been filed and another application for change of RP, these two applications have been coming up for hearing for the last two months, therefore both parties shall come up with a solution by next date of hearing, or else argue on the next day of hearing.

The CoC counsel has mentioned that this Bench may pass orders for liquidation in the application pending on the next date of hearing.

List all other pending applications for hearing on **20.01.2021**.

**(B.S.V PRAKASH KUMAR)**  
**ACTG. PRESIDENT**

S/d-

**(HEMANT KUMAR SARANGI)**  
**MEMBER (TECHNICAL)**

S/d-