

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

**ITEM No. 08**  
**IA-2044(PB)/2021 in**  
**CP No. (IB)-1504(PB)/2019**  
**U/s 19(2) of the Code, 2016**

**Between:**

Mr. Sutanu Sinha,  
Resolution Professional of M/s. Patna Highways Projects Ltd.  
(Corporate Debtor) ..... Applicant

**And**

Mr. Mineel Mali Madhukar,  
5-F, Madhav Nagar, CHS. 115A,  
Bhawani Shankar Road,  
Near Shardashram Vidyamandir,  
Dadar West & others ..... Respondents

**(IB)-1504(PB)/2019**

**IN THE MATTER OF:**

Corporation Bank ..... Applicant/petitioner  
v.  
Patna Highway Projects Ltd. .... Respondent  
**Order under Section 7 of IBC (CIRP)**

**Date of order 01.06.2021**

**CORAM:**

**SH. RAJESWARA RAO VITTANALA**  
**HON'BLE ACTG. PRESIDENT**

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

**Parties/Counsels Present (Through Video Conference):**

For the Applicant Ms. Mahima Singh, Mr. Gaurav Arora, Advs. for RP  
For the respondent Mr. Rohan Munj, for R-4, Iron Mountain in I.A. No.  
2044 of 2021



Mr. Arijit Mazumdar, Ms. Akanksha Kaushik, Advs. for Respondent Nos. 1 & 5

Mr. Rohan Munj, Adv. for R-4 Iron Mountain India Pvt. Ltd. in I.A. No. 2044 of 2021

**ORDER**

**Per: Rajeswara Rao Vittanala**

1. IA No. 2044(PB)/2021 in CP (IB)-1504(PB)/2019 is filed by Mr. Sutanu Sinha, Resolution Professional, U/s 19(2) of the Code by interalia seeking directions to the Respondents to give access to all the information /documents relating to Corporate Debtor etc
2. Heard Ms. Mahima Singh, learned counsel for the Resolution Professional; Ms. Akanksha Kaushik, learned Counsels for Respondent Nos. 1 & 5 and Mr. Rohan Munj, Learned Counsel for the Respondent No. 4. We have carefully perused the pleadings of the Parties and extant provisions of Code and the Rules made thereunder.
3. Ms. Mahima Singh, learned counsel for the Resolution Professional, has interalia submitted that the order of Admission passed by the AA on 03<sup>rd</sup> January, 2020 in CP (IB)-1504(PB)/2019 was questioned before the Hon'ble NCLAT, which was ultimately dismissed as withdrawn on 20<sup>th</sup> July, 2020. Accordingly, the Applicant has initiated various steps in the process. And in the process, the Applicant has sought information and sought various documents relating to business transactions of CD from the Respondents by issuing several emails as detailed in the Application but to no avail. However, the Respondents have furnished partially documents and information, as sought for. He has also engaged



Transactional Auditor to conduct the transaction audit of the CD. Therefore, she has urged the AA to direct the Respondents to co-operate and furnish the requisite documents expeditiously to avoid further delay in CIRP in question.

4. Per contra, Ms. Akanksha Kaushik, learned counsel for Respondent Nos. 1 & 5 & and Mr. Rohan Munj, Learned Counsel for Respondent No. 4, have interali submitted that they are ready to share the requisite documents to the Applicant, subject to their availability with them.
5. In terms of provisions of Section 19 of the Code, it is the duty of personnel of CD, its promoters or any other persons associated with its management to extend all assistance and co-operation to the IRP/RP as may be required by him/her in managing the affairs of CD. Therefore, instead of keeping pending the instant Application to file reply/rejoinder by the Respondents, it would be just and proper to dispose of the instant Application, by directing the Respondents to extend necessary co-operation and furnish the request documents as sought for by the Applicant, however, subject to availability of those documents with them. At the same time, the Applicant should restrict himself to ask the Respondents only relevant documents/information to the issue in question.
6. In the result, IA 2044(PB)/2021 in CP No. (IB)-1504(PB)/2019 is disposed of by directing the Respondents to co-operate and to give access all the requisite information/documents as sought for, however subject to the availability of those information/documents with them, to the Applicant, within a period of three weeks from the date of receipt of copy

of this order. The Applicant is directed to ask only relevant information and requisite documents to the issue in question.

Sd/—

**(RAJESWARA RAO VITTANALA)**  
**ACTG. PRESIDENT**

Sd/—

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