

**BEFORE THE ADJUDICATING AUTHORITY
NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD
Court 2**

IA/58(AHM)2021 in CP(IB) 268 of 2018

**Coram: HON'BLE Ms. MANORAMA KUMARI, MEMBER JUDICIAL
HON'BLE Mr. VIRENDRA KUMAR GUPTA, MEMBER TECHNICAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 24.02.2021**

Name of the Company: Dhaval Jitendrakumar Mistry RP For
Poggenamp Nagarsheth Powertronics
Pvt Ltd
V/s
COC of Poggenamp Nagarsheth
Powertronics Pvt Ltd represented
through UCO Bank
Section 30(6) r.w 31 IBC,2016.

S.NO.	NAME (CAPITAL LETTERS)	DESIGNATION	REPRESENTATION	SIGNATURE
1.		<u>ORDER</u>		
2.		(through video conferencing)		

Mr. Daivat Bhatt, advocate appeared on behalf of PCS, Mr. Kiran Shah for the Applicant.

Ms. Monica Varma, advocate, appeared on behalf of the Operational Creditor and submitted that in the instant application, the plan has been filed by the Suspended Management, who does not fall under the category of MSME on the date of initiation of CIRP. Under Such circumstances, the plan is not sustainable under the law.

It is further submitted by the Intervener, Ms. Monica Varma that she has filed an IA application, which is not yet listed, hence an appropriate order may be passed to list that IA along with the instant application.

Registry as well as Applicant is directed to issue notice upon the Respondent.

Registry is directed to list the connected IAs, if any, filed along with the instant application on the next date positively.

List the matter on 22.03.2021.

**VIRENDRA KUMAR GUPTA
MEMBER TECHNICAL**


**MANORAMA KUMARI
MEMBER JUDICIAL**