

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI, COURT - II

Item No. 214

(IB)-1138(ND)2018

IA/1512/2019 IA/1684/2019, IA2020/2020, New-IA/1293/2021, CA-
1132/2019 , CA43/2019 & CA-366/2019

IN THE MATTER OF:

M/s R J Packwells Pvt. Ltd.

... Applicant/Petitioner

Versus

M/s. Nibula Print And Pack Pvt. Ltd.

... Respondent

Under Section: 9 of IBC, 2016

Order delivered on 09.07.2021

CORAM:

SHRI. ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (J)

SHRI L.N. GUPTA,
HON'BLE MEMBER (T)

PRESENT:

Ashok Kriplani, RP
Advocate Sanjeev Panda for Itenderpal Singh Ex-director of
the suspended board of the corporate debtor
Mr. Shailendra Singh & Ms. Muskaan Garg, Advocates for
RP
Ms. Neha Mathen, Adv. for Resolution Applicant
Mr. Kunal Tandon, Ms. Richa Sandilya and Ms. Hita Sharma
Adv. for HDFC Bank

ORDER

IA-2020/2020: By filing this application, Applicant has prayed to condon the delay in filing the claim before the Resolution Professional. He seeks permission to file a fresh claim in Form-B along with the requisite documents before the Resolution Professional. Further prayer of the Applicant is to direct the Resolution Professional to admit the claim.

Heard the Ld. Counsel appearing for the Applicant as well as the RP, who appeared in person as well as through his counsel. In the course of hearing, the Ld. Counsel for the Resolution Applicant has also appeared. Ld. Counsel

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for the RP submits that though the resolution plan has already been approved by the CoC, he is ready to examine and consider the claim filed by the Applicant.

Considering this fact and without going into the merit of the case, we notice that claim is about government dues and as per Regulation 36(2)(h) of IBBI(Insolvency Resolution Process for Corporate Persons) Regulation 2016, was the duty of the Resolution Professional to collect and incorporate in the Information Memorandum, the details about the dues of Government and Statutory Authorities. Therefore, we direct the applicant to file a fresh claim before the RP in continuation of their earlier claim, within 7 days from today. If any such claim is filed, the RP is directed to examine and consider the same in accordance with the provision of law. List the matter on 28th July, 2021.

IA/1512/2019 IA/1684/2019,New-IA/1293/2021, CA-1132/2019 , CA43/2019 & CA-366/2019:

List all these IAs on 28th July, 2021.



**(L. N. GUPTA)
MEMBER (T)**



**(ABNI RANJAN KUMAR SINHA)
MEMBER (J)**