

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

**CA Nos. 321/2019 & 685/2019
IA Nos.591/2020, 131/2021, 157/2021, 159/2021 & 324/2021
IN
CP (IB) No.223/Chd/Hry/2018
(Admitted)**

Under Section 60(5) of IBC, 2016

In the matter of:

Shri Amit Kansal	...Petitioner-Operational Creditor
Versus	
RP Basmati Rice Ltd.	...Respondent-Corporate Debtor

Present through video conferencing:

Mr. Rakesh Gupta, Advocate for the Resolution Professional.
Mr. Anand Chhibbar, Senior Advocate with Mr. Vaibhav Sahni, Advocate for respondents No.1 and 2 in CA No.685/2019 and respondent No.1 in CA No.321/2019.
Mr. Deepankur Sharma, Advocate for respondent No.3
Mr. Arun Bansal, Advocate for the resolution applicant.
Mr. Piyush Bansal, Advocate for the applicant in IA Nos.591 & 592/2020.

CA No.131/2021

This application has been filed by the Resolution Professional of M/s R P Basmati Rice Ltd. corporate debtor seeking to place on record the affidavit of the Resolution Professional pertaining to the compliance of the resolution plan under Regulation 36B(4A) of the CIRP Regulations, 2016 in the record of IA No.159/2021 which was filed under Section 30(6) of IBC, 2016 seeking approval of the resolution plan.

2. Heard Mr. Rakesh Gupta, Advocate appearing for the Resolution Professional. In the circumstances, the instant CA No.131/2021 is allowed and accordingly affidavit filed vide Diary No.00363 dated 01.03.2021 attached with the

instant CA is taken on record into the record of IA No.157/2021 and CA No.131 is disposed of.

IA No.324/2021

This application has been filed by the Resolution Applicant for urgent hearing of IA No.159/2021 seeking approval of the resolution plan filed under Section 30(6) of IBC, 2016. Since the IA No.159/2021 is taken up for hearing today, accordingly IA No.324/2021 is disposed of.

IA No.157/2021

This application has been filed by the Resolution Professional of M/s R P Basmati Rice Ltd., corporate debtor seeking directions to the Income Tax Department to remove the lien on the bank accounts of the corporate debtor.

2. Issue notice to the Income Tax Department. The applicant shall collect the notice from Registry and send immediately by speed post and file affidavit of service along with postal receipt and tracking report within three weeks from the date of notice. Reply/report, if any, be filed within two weeks from the date of receipt of notice and response thereto, if any within one week from the date of receipt of reply/report exchanging copies between the parties.

3. List IA No.157/2021 on 25.10.2021.

IA Nos. 591/2020 & 592/2020

These applications are filed by the Excise & Taxation Commissioner, Haryana against the Resolution Professional of M/s R.P. Basmati Rice Ltd. Out of the said IAs, IA No.591/2020 was filed for urgent hearing of IA No.592/2020. However, on 03.11.2020 IA No.592/2020 was wrongly disposed of as if the same was filed seeking urgent hearing of IA No.591/2020. Now, in the circumstances the said order is corrected and IA No.591/2020 filed for urgent hearing is disposed of. We have heard learned counsel for the applicant in IA No.592/2020 filed for directions

against the Resolution Professional for settlement of claim by the applicant i.e. Commissioner of Excise & Taxation Department, Haryana.

2. Heard Mr. Piyush Bansal, Advocate appearing for the applicant and Mr. Rakesh Gupta, Advocate appearing for the Resolution Professional.

3. Order reserved.

4. Learned counsel for the Resolution Professional is directed to file copy of the judgement dated 11.06.2021 cited by him in **Assistant Commissioner Vs. Shankar & Ors.** within one week from today. Learned counsel for the applicant is permitted to file judgement, if any, within one week from today.

CA Nos.685/2019, 321/2019 and 159/2021.

Learned counsel for both the parties submit that pleadings are complete.

2. List these CAs on 28.07.2021.

Sd/-
(Raghu Nayyar)
Member (Technical)

(Ajay Kumar Vatsavayi)
Member (Judicial)

July 14, 2021
pc