ITEM No. 1

CP(IB)/24(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India V/s

Sumit Raipal

(Corporate Guarantor)

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Rahul Parasrampuria, Advocate

For the Respondent

:Ms. Soumya Sharma, Advocate

ORDER

Learned Counsel for the Personal Guarantor accepts the notice and undertakes to file reply within two weeks.

The Applicant may file its rejoinder, if any, within two weeks, thereafter.

Learned Counsel for the personal guarantor states that triggering of the interim moratorium may be stayed till the reply is filed, relying on the judgment passed by the Hon'ble NCLAT, Principal Bench in Company Appeal(AT) (Insolvency) No. 464 of 2021 dated 12.07.2021, wherein the Hon'ble NCLAT has stayed the proceedings for NCLT. In our view, the moment an application is filed under Section 95 of the Code, the interim moratorium commences as per the provision of Code. Hence, the interim moratorium shall commence under Section 96 from the date of application. The RP, as suggested by the Applicant, Ms. Teena Saraswat is present in person. We direct RP to file report as required under Code, within three weeks.

List the matter for further consideration on 04.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 2 CP(IB)/25(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India

V/s

Mahendra Kumar Rajpal

(Corporate Guarantor)

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J) Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Rahul Parasrampuria, Advocate

For the Respondent

:Ms. Soumya Sharma, Advocate

ORDER

Learned Counsel for the Personal Guarantor accepts the notice and undertakes to file reply within two weeks.

The Applicant may file its rejoinder, if any, within two weeks, thereafter.

Learned Counsel for the personal guarantor states that triggering of the interim moratorium may be stayed till the reply is filed, relying on the judgment passed by the Hon'ble NCLAT, Principal Bench in Company Appeal(AT) (Insolvency) No. 464 of 2021 dated 12.07.2021, wherein the Hon'ble NCLAT has stayed the proceedings for NCLT. In our view, the moment an application is filed under Section 95 of the Code, the interim moratorium commences as per the provision of Code. Hence, the interim moratorium shall commence under Section 96 from the date of application. The RP, as suggested by the Applicant, Ms. Teena Saraswat is present in person. We direct RP to file report as required under Code, within three weeks.

List the matter for further consideration on 04.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) ーらの -DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 3 CP(IB)/27(MP)2021

Order under Section 95 IBC

IN THE MATTER OF:

State Bank of India

V/s

Neeta Rajpal

(Personal Guarantor)

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Rahul Parasrampuria, Advocate

For the Respondent

:Ms. Soumya Sharma, Advocate

ORDER

Learned Counsel for the Personal Guarantor accepts the notice and undertakes to file reply within two weeks.

The Applicant may file its rejoinder, if any, within two weeks, thereafter.

Learned Counsel for the personal guarantor states that triggering of the interim moratorium may be stayed till the reply is filed, relying on the judgment passed by the Hon'ble NCLAT, Principal Bench in Company Appeal(AT) (Insolvency) No. 464 of 2021 dated 12.07.2021, wherein the Hon'ble NCLAT has stayed the proceedings for NCLT. In our view, the moment an application is filed under Section 95 of the Code, the interim moratorium commences as per the provision of Code. Hence, the interim moratorium shall commence under Section 96 from the date of application. The RP, as suggested by the Applicant, Ms. Teena Saraswat is present in person. We direct RP to file report as required under Code, within three weeks.

List the matter for further consideration on 04.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 4 CP(IB)/26(MP)2021

Order under Section 9 IBC

IN THE MATTER OF:

Prashant Kumar Dubey Proprietor of Electrical Solutions

.....Applicant

(Operational Creditor)

.....Respondent

V/s Nilshikhaa Projects Ltd & Ors.

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Manav Tanwani, Advocate

For the Respondent

ORDER

Issue Notice as to why the Application for initiating the CIRP should not be admitted against the Corporate Debtor. Process Dasti as well as other all modes.

Adjourned to 05.10.2021 for further consideration.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) -SD-

DR. DEEPTI MUKESH MEMBER (JUDICIAL)

vc

ITEM No. 5 IA/152(MP)2021 in TP 56 of 2019 in CP(IB) 21 of 2019

Order under Section 9 IBC

IN THE MATTER OF:

Radha Krishna Acua Pvt Ltd

V/s

Digital Micron Rota Print Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Saumitra Chaturvedi, Advocate

For the Respondent

ORDER

IA/152(MP)/2021

This application is filed by the RP seeking extension of 90 days of CIRP on expiry of 180 days which is from 10.07.2021.

Learned Counsel states that CoC in its 7th meeting held on 18.06.2021 deliberated the issue of seeking exclusion/extension. Accordingly, the resolution was passed with 95.95% voting shares. Copy of minutes and voting result is annexed with the application. Considering, the submission made by the Applicant extension of 90 days beyond 180 days is hereby allowed.

IA/152(MP)/2021 is allowed and stands disposed of .

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 6
IA/148(MP)2021
in
TP 215 of 2019 [CP(IB) 580 of 2019]

Order under Section 7 IBC

IN THE MATTER OF:

Ritwik Finance Enterprises Pvt Ltd

V/s

Patwa Automotive Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Vishal Dave, Advocate

Mr. Sajjan Kumar Dokania, RP

For the Respondent

ORDER

IA/148(MP) 2021

This application is filed by the RP seeking exclusion of 58 days of pandemic lockdown declared by the Government of Madhya Pradesh. Learned Counsel for the Applicant states that 330 days period has expired on 06.07.2021, but in response to the latest publication for inviting EOI, three EOI's have been received. Hence, CoC in its 12th meeting dated 27.07.2021 decided to seek exclusion of pandemic lockdown period and to complete the process of CIRP by inviting resolution plans. Copy of minutes of the meeting and resolution passed with 100% voting are annexed with the application. Considering the submissions of the Learned Counsel for the applicant we hereby grant exclusion of 58 days from calculation from CIRP period. Hence, CIRP period is extended upto 03.10.2021.

Application is allowed and stands disposed of.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 7 IA/151(MP)2021 in CP(IB) 43 of 2020

Order under Section 10 IBC

IN THE MATTER OF:

Rajpal Autolink Pvt Ltd

.....Applicant

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Abhishek Naik, Advocate

For the Respondent

<u>ORDER</u>

The preliminary report is filed by the Liquidator alongwith assets Memorandum which is taken on record.

Application is allowed and stands disposed of.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 8
IA/149(MP)2021
in
TP 222 of 2019 in CP(IB) 325 of 2019

Order under Section 7 IBC

IN THE MATTER OF:

Touchstone Services Pvt Ltd

V/s

Power Televentures Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

For the Respondent

: Learned Counsel, Mr. Yuvraj Thakore

ORDER

IA149(MP)2021

This application is filed by RP under Section 33 of Insolvency and Bankruptcy Code, 2016 for seeking liquidation of Corporate Debtor.

Let the copy be served to the Ex-directors and compliance affidavit is filed.

List for further consideration on 29.09.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 9
Appeal/17(MP)2021

Order under Section 252(3)

IN THE MATTER OF:

Shishir Khare

(Mangalmay Infrastructure Pvt Ltd)

V/s

ROC Gwalior

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Appellant

: Learned Counsel, Mr. Mohammed Arkam G Shaikh

For the Respondent

<u>ORDER</u>

This is an Appeal filed under Section 252(3) of the Companies Act, 2013 seeking revival of the name of the Company.

Learned Counsel for the Appellant states that the notice is served on ROC and Income Tax Department. Reply of both the Departments are not available.

List for hearing on 05.10.2021.

VIRENDRA/KUMAR GUPTA MEMBER (TECHNICAL) DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 101 (MP) CP(IB) 55 of 2020

Order under Section 7 IBC

IN THE MATTER OF:

Indian Infoline Home Finance Ltd V/s

Aakarshit Ice & Cold Stroage Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Learned Counsel, Mr. S. S. Shevade

For the Respondent

: Learned Counsel, Mr. V. N. Dubey

ORDER

Learned Counsel for the Applicant neither visible nor properly audible. However, seeking some time to file rejoinder. Let the rejoinder be filed within ten days by giving an advance copy to the other side. It shall be last chance to file rejoinder failing which right to file rejoinder will be closed.

List for hearing on 06.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL) ー SD-DR. DEEPTI MUKESH

MEMBER (JUDICIAL)

ITEM No. 102

TP 24 of 2019 [CP(IB) 593 of 2019]

Order under Section 9 IBC

IN THE MATTER OF:

Harsh Agencies & Infra Projects

V/s

Dilip Buildcon Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Learned Counsel, Ms. Himani Chouhan

For the Respondent

: Learned Counsel, Ms. Anukrati

ORDER

No documents of both the sides are available on E-portal.

Learned Counsel for the Applicant undertakes to ensure that the documents come on record as she says that the documents are already filed.

Corporate Debtor is given last chance to upload their documents on E-portal before next date of hearing. If the document does not come on E-portal of the Corporate Debtor matter will proceed Ex-parte.

List for hearing on 05.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Sweta

ITEM No. 103 (MP) CP(IB) 5 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Mocro Tech Industries

V/s

Balaji Steroids & Hormones Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Learned Counsel, Mr. Nandan S Soni

For the Respondent

: Learned Counsel, Mr. Masoom Shah

ORDER

Learned Counsel for the Corporate Debtor states that the time was granted to file the reply in July, 2021, however, the same is not yet filed. The learned counsel for the Respondent further seeks and is granted last chance to file reply within a week by giving an advance copy to the other side and other side may file rejoinder, if any, within a week thereafter.

List for hearing on 07.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Sweta

ITEM No. 104 (MP) CP(IB) 29 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Haji Shahadat & Sons

V/s

Steelexpert Industries (Indore) Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Learned Proxy Counsel, Ms. Kinjal Trivedi

For the Respondent

: Learned Counsel, Mr. Vijayesh Atre

ORDER

Pleadings are complete. Documents are available on E-portal.

Learned Proxy Counsel for the Applicant seeks adjournment stating that the arguing counsel has some personal difficulty.

At the request of Proxy Counsel for the Applicant matter stands adjourned.

List for hearing on 07.10.2021.

VIRENDRA/KUMAR GUPTA MEMBER (PECHNICAL)

Sweta

ITEM No. 105 (MP) CP(IB) 37 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Maaz Exports

V/s

Steelexpert Indusries (Indore) Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J) Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Learned Proxy Counsel, Ms. Kinjal Trivedi

For the Respondent

: Learned Counsel, Mr. Vijayesh Atre

ORDER

Learned Counsel for the Corporate Debtor undertakes to ensure that the copy of reply is come on E-portal for the next date of hearing.

List for hearing on 07.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

DR. DEEPTI MUKESH MEMBER (JUDICIAL)

ITEM No. 106

(MP) CP(IB) 66 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Polysquare LLP

V/s

Dash Paper Plast Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Adv. Mr. Kamlesh Vaidankar

For the Respondent

: Adv. Mr. Abhinav Malhotra

ORDER

Learned Counsel for the Corporate Debtor states that they filed the application for setting aside the ex-parte order passed by this Bench against the Corporate Debtor and another application for condonation of delay which was filed yesterday only.

Order dated 16.08.2021 clearly indicates that no further adjournment will be granted. Learned Counsel for the Applicant states that in compliance of order dated 03.06.2021, paper publication was made on 15.06.2021 but the proof of paper publication has not come on record. Let the affidavit be filed.

Reply filed by Corporate Debtor on e-portal will not be taken on record until application for setting aside the order of ex-parte is disposed of.

List for hearing on 28.09.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Rajeev

ITEM No. 107 C.P.(IB)/19(MP)2021

Order under Section 9 IBC

IN THE MATTER OF:

Shobit Ram Shahu & Ors

Sai Prakash Properites Develpoment Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: None

For the Respondent

: None

ORDER

No one appears for both the sides.

The documents of Corporate Debtor have also not come on e-portal. Corporate Debtor is directed to upload the same within seven days.

List the matter on 03.11.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Rajeev

-SD-

ITEM No. 108 Cont.P 1 of 2020 IA/115(MP)2021 in

TP 248 of 2019 [CP(IB) 374 of 2018]

Order under Section 9 IBC

IN THE MATTER OF:

Jayhind Steel Traders V/s

Saturn Pre Fab India Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Adv. Mr. Vijayesh Atre

For the RP

: Adv. Mr. Rahul Parasrampuria

ORDER

IA/115(MP)2021

Learned Counsel for the RP states that reply is filed which has not come on record.

Cont. P 1 of 2021

This application is filed by Resolution Professional. However, the copy of this Application has not come on e-portal.

Learned Counsel Mr. Vijayesh Atre states that reply is filed but the same has not come on record. Let the pleadings be completed from both the sides within seven days.

List for further consideration on 01.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Rajeev

ITEM No.109

CP(CAA)4(MP)2021 in CA(CAA)07 of 2021

Order under Section 230-232 Co.Act 2013

IN THE MATTER OF:

Arneel Technocrafts Pvt Ltd Ancile Industries Pvt Ltd

.....Applicant

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J)

Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Adv. Mr. Ravi Pahwa

ORDER

Heard Learned Counsel for the Applicants.

The order is reserved.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Rajeev

ITEM No. 110 Appeal/14(MP)2021

Order under Section 252(1)

IN THE MATTER OF:

Suneel Giri Goswami (Oracle Develpores India Pvt Ltd) V/s ROC gwaliorApplicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr. Deepti Mukesh, Hon'ble Member(J) Mr. Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Adv. Mr. Harshvardhan Topre

For the Respondent

ORDER

Appeal/14(MP)2021

This Appeal is filed by Appellant under Section 252(1) of the Companies Act, 2013.

Learned Counsel for the Appellant states that service on respondents is complete. Affidavit of Service has come on record. Let ROC and Income Tax Department file their response within two weeks. Copy of this order also be served upon the ROC and Income Tax Department by E-mail by the Learned Counsel for the Appellant.

List for further consideration on 01.10.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Rajeev

ITEM No. 111
IA 58 of 2020
IA 83 of 2020
IA 149 of 2020
MA/5(MP)2021
in
(MP) CP 12 of 2020

Order under Section 241-242 r.w 59 Co.Act, 2013

IN THE MATTER OF:

Ramandeep Singh Poonia & Anr

V/s

Ultra Broadband Services Pvt Ltd & Ors

.....Applicant

.....Respondent

Order delivered on ..25/08/2021

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J) Mr.Virendra Kumar Gupta, Hon'ble Member(T)

PRESENT:

For the Applicant

: Adv. Mr. Vijayesh Atre

For the Respondent

: Adv. Mr. Vikas Kakkar

ORDER

MA/5(MP)2021

This application is jointly filed by both the sides i.e., Two petitioners and Seven Respondents. Out of Seven, Six Respondents are seeking withdrawal of the petition in view of the settlement agreement executed between the parties. Seventh Respondent is ROC.

As Learned Counsel for the Petitioner was directed to file clarification affidavit which Learned Counsel Mr. Vijayesh Atre filed on 23.08.2021 but the same has not come on e-portal.

Learned Counsel is directed to take appropriate steps and Registry is also directed to bring on e-portal.

No documents are available on e-portal in IA 58 of 2020, IA 83 of 2020 and IA 149 of 2020.



Both the sides are directed to complete their respective pleadings on e-portal in pending applications.

List the matter on 27.08.2021.

VIRENDRA KUMAR GUPTA MEMBER (TECHNICAL)

Rajeev