

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

IA (IB) No. 1104/KB/2020

In CP (IB) No. 1694/KB/2018

Present: 1. Hon'ble Member(J), Shri Rajasekhar V.K.

2. Hon'ble Member (T), Shri H.C. Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 6th NOVEMBER, 2020, 10:30 A.M

Name of the Company	Sendoz Commercial Pvt. Ltd.Vs. Kohinoor Paper and Newsprint Pvt. Ltd. (In CIRP)		
Under Section	60(5) / 9 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

Counsel appeared through video conference:

- | | | |
|----|----------------------------------|---------------------|
| 1. | Mr. Joy Saha, Sr. Advocate |] For the applicant |
| 2. | Ms. Urmila Chakraborty, Advocate |] |
| 3. | Ms. B. Gayatri, Advocate |] |
| 4. | Ms. Debaleena Ganguly, Advocate |] |
| 1. | Mr. Uday Narayan Mitra, RP |] Self |

ORDER

- Mr. Joy Saha, Ld. Sr. Counsel along with Ms. Urmila Chakraborty, Ld. Counsel on behalf of the applicant is present. Mr. Uday Narayan Mitra, Resolution Professional is present in person.
- IA(IB) No.1104/KB/2020 is an application filed u/s. 60(5) of the Code read with Rule 11 of NCLT Rules, 2016 by Rare Asset Reconstruction Ltd. against the RP and the members of the CoC seeking a direction upon them to consider the revised offer in terms of the Resolution Plan which was submitted earlier and in spite of which decision has been taken to reject the same.
- Mr. Uday Narayan Mitra, the Resolution Professional is present in person and he submits that revised offer submitted to the RP was placed before the CoC for consideration since the object of the Code is first to attempt a resolution of the Corporate Debtor and we have considered it first to consider the resolution plan as revised now by the applicant herein. Upon consideration, the same shall be placed before the Adjudicating Authority for further orders.
- We direct that the meeting of the CoC be convened on 20/11/2020 for consideration of the revised offer. The applicant is hereby directed to place the same by way of formal document for consideration of the CoC. Results of the meeting shall be communicated by way of an affidavit to be filed by the RP on or before 27/11/2020.
- List this matter on 07/12/2020 for further consideration. In the meantime, the application u/s. 33 filed by the RP for liquidation of the Corporate Debtor shall be kept in abeyance.

(Harish Chander Suri)
Member (Technical)

(Rajasekhar V.K.)
Member (Judicial)