

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT - II)

Item No. 301
(IB)-266(ND)2019
IA/3468/2020, IA/1273/2020, IA/3533/2020, IA/3960/2020
IA/3975/2020 & IA/4391/2020

IN THE MATTER OF:

Mr. R. Tarkeshwar Narayan ... **Applicant/Petitioner**

Versus

M/s. Horizon Buildcon Pvt. Ltd. ... **Respondent**

Under Section: 7 of IBC, 2016

Order delivered on 16.10.2020

CORAM:

CH. MOHD. SHARIEF TARIQ,
HON'BLE MEMBER (J)

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

PRESENTS:

Mr. Abhishek Anand, Mr. Mohak Sharma, for R.P, Mr. Prateek Kushwaha, Adv. for the Applicant in IA/1273/2020, Mr. Abhay Pratap Singh, Mr. Aaryaan Sadanand, for Kaveri Sahakari Awas Samiti Ltd. Mr. Aditya Nayyar, for CoC, Mr. Praveen Aggarwal, for R.P, Mr. Nipun Gautam, for Erstwhile IRP

ORDER

IA 4391/2020 : Counsels for the COC is present. Counsel for the RP, Mr. Praveen Agarwal is present. Counsel for the COC submitted that the COC in its 7th meeting held through VC on the 1st October 2020 with 68.77% voting share has resolved the name of Mr. Anil Tayal for appointment as RP in replacement of the present RP Mr. Praveen Agarwal. The consent letter of Mr Tayal in the form AA is also placed on record. The Counsel for the present RP Mr. Praveen Agarwal has no objection to the decision of the COC.

In view of the resolution dated 4th October 2020 passed by the COC, Mr. Anil Tayal is hereby appointed as RP in replacement of Mr. Praveen Agarwal. Mr. Praveen Agarwal is hereby directed to handover all the records and documents to the newly appointed RP Mr Anil Tayal within a period of 10 working days. In

Sapna



case, any amount with regard to the remuneration and expenses incurred by the Ex-RP is due, the CoC shall pay the same as admissible within 2 weeks from the date of this order.

In terms of the above, **the IA is allowed.**

IA 3468/2020 : Counsel for the RP is present and prayed time to make amendment in the prayer clause of the Application. Time is allowed.

List the matter on 21st October 2020.

IA 1273/2020: Counsel for the Applicant is present. Counsel for the RP is present. The matter is listed for making final submissions.

List the matter on 26th October 2020.

IA 3533/2020: Counsel for the Applicant is present. Counsel for the COC present is directed to file reply within 2 weeks. The matter is posted for making final submissions.

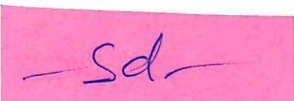
List the matter on 2nd November 2020.

IA 3960/2020: Counsels for the RP and COC are present. Counsel for the Respondent no. 4 is directed to file reply within a week. The Registry is directed to issue notice to the rest of the Respondents. The Counsel for the RP is permitted to serve private notice on the rest of the Respondents by all modes and file the proof of service along with the Affidavit on or before the next date of hearing.

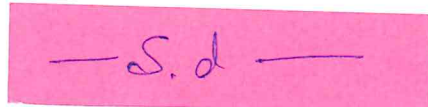
List the matter on 26th October 2020.

IA 3975/2020: Counsel for the Operational Creditor is present. The Application is treated as a representation and a newly appointed RP is directed to take a decision on the subject matter of the Application and file the status report on the next date of hearing.

List the matter on 26th October 2020.



(L. N. GUPTA)
MEMBER (T)



(CH. MOHD.SHARIEF TARIQ)
MEMBER (J)