

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**

**Item No.-203**  
IB-2728/ND/2019  
IA/3921/2020

**IN THE MATTER OF:**

Om Logistics Ltd  
Vs.  
Serval India Pvt Ltd

....Applicant

.....Respondent

**SECTION**

U/s 9 IBC Code 2016

**Order delivered on 08.10.2020**

**CORAM:**

**SHRI ABNI RANJAN KUMAR SINHA**  
**HON'BLE MEMBER (JUDICIAL)**

**SHRI K.K. VOHRA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Ms. Sunieta Ojha, Mr. Anuj Bhushan Gupta, Mr. Kanishk Rana,  
Mr. Aditya Goel and Mr. Ritesh Kumar Aggarwal, Advocates  
For the Respondent : Mr. Arun Kumar Shukla, Advocate

**ORDER**

The present application has been filed on behalf of the RP praying therein to Allow the present application u/S 60 (5) (c) of IBC, 2016 and direct the respondent to comply with the instructions of RP and to extend all assistance and co-operation in collection of information and managing the affairs of the corporate debtor, to direct the respondent to allow the applicant and its authorized representatives, access to the registered office of the corporate debtor located at S-15, Okhla Phase-II, New Delhi-110 020, at least for 6 weeks for collection of documents/information and managing the affairs of the corporate debtor or pass other orders.

A reply to the application has also been filed on behalf of the respondent and the same is on record.

We have heard Ld. Counsels appearing for both the parties and perused the averments made in the application. Ld. Counsel appearing for the respondent submitted that although in their reply, they have pointed out so many things but the respondent is ready to permit the petitioner to enter inside the premises for the purpose of inspection of records as well as removal



of records from the premises, if the petitioner prepares an inventory and record the proceeding through videography. He further submitted that the respondent is inclined to give one week's time to complete this process.

On the other hand Ld. Counsel for the RP submitted that the RP is ready to prepare an inventory and hand over a copy of the same to the respondent before removing any record from the premises but he seeks two weeks' i.e. 14 working days' time to do the same.

Considering the submissions made on behalf of the parties, without going into the averments made in the application and reply filed on behalf of the parties, we are passing the following orders:-

- i. The respondent is directed to permit the RP to enter inside the premises for the purpose of inspection of the records and removal of the record, if any, from the premises,
- ii. RP is directed to enter inside the premises and prepare an inventory before removing any record from the premises and a copy of the same must be handed over to the person, deputed by the respondent for that purpose,
- iii. RP is directed to complete all the inspection work within 14 working days from today. If RP fails to complete his work within aforesaid period, then he will not be allowed further time, therefore, he is directed to complete all his work within said period,
- iv. The respondent is directed not to cause any hindrance or obstructions during this period and if any hindrance or obstruction will be done on behalf of the respondent, then action shall be taken in accordance with the provision of law. At the same time, we direct the respondent to depute a person in whose presence the inventory will be prepared.

**With this order, the present application stands disposed off.**

- Sd -

**(K.K. VOHRA)**  
**MEMBER (T)**

- Sd -

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