

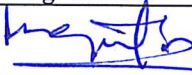
**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH**

PRESENT: HON'BLE SHRI RATAKONDA MURALI- MEMBER JUDICIAL

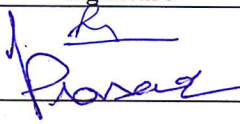
ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 12.09.2018 AT 10.30 AM

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	CP(IB) No.331/9/HDB/2018
NAME OF THE COMPANY	Ind-Barath Power Gencom Ltd
NAME OF THE PETITIONER(S)	Agarwal Coal Corporation Pvt Ltd
NAME OF THE RESPONDENT(S)	Ind-Barath Power Gencom Ltd
UNDER SECTION	9 of IBC

Counsel for Petitioner(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
CS R. Ramakrishna Gupta	PLS	ramakrishna@rna-cs.com	

Counsel for Respondent(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
D.V.A S. Anil Prasad	Advocate	anilprasad@anilprasad.com	

ORDER

Counsel for Operational Creditor is present. Counsel for Corporate Debtor is present.

Heard both sides. They informed the Tribunal that already Corporate Debtor Company is admitted to CIR process and order of moratorium was also passed against the Corporate Debtor Company and IRP was appointed. When once Corporate Debtor is admitted to CIRP, then Petitioner herein cannot proceed with this matter and Operational Creditor can put forth his claim before the IRP/RP as per the provisions of IBC, 2016. Counsel for Operational Creditor also informed the Tribunal that this Petition can be closed with a direction to the Operational Creditor to file the claim before the IRP appointed for the Corporate Debtor Company.

Therefore, this Petition is closed with a direction to the Operational Creditor to file its claim before IRP/RP appointed for the Corporate Debtor Company in pursuance of CIR process.