

**NATIONAL COMPANY LAW TRIBUNAL**

6th Floor, Fountain Telecom Building No. 1,  
Near Central Telegraph Office, M. G. Road,  
Fort, Mumbai - 400 001.

Telephone No.: 022 - 22717200/22619636 (Fax)

Email: registrar-mum@nclt.gov.in

Website: www.nclt.gov.in



सत्यमेव जयते

**राष्ट्रीय कम्पनी विधि अधिकरण**

छठी मंजिल, फाउन्टेन दूरसंचार भवन नं. १,  
सेंट्रल दूरसंचार भवन के पास,  
एम. जी. मार्ग, फोर्ट, मुंबई - ४००००१.  
दूरभाषनं. २२६१७२००/२२६१९६३६ (फैक्स)

**No. NCLT/ MB/I&BC/ Vandana Udhyog /2018/45**

Date: 31.01.2018

To

Shri R. Sreekara Rao

Deputy General Manager,

Insolvency and Bankruptcy Board of India,

7<sup>th</sup> Floor Mayur Bhawan,

Shankar Market, Connaught Circus,

New Delhi-110001

Subject: Request to replace the IRP and appointment of RP in the matter

Ref- C.P. No. 1045/ I &BP/NCLT/MB/MAH/2017

in the matter of M/s Vandana Udhyog

V/s.

Manush Commodities Ltd. & Ors.

Sir,

With reference to the subject cited I have to state that this Registry has been directed by Court No. 1 of NCLT, Mumbai Bench by order dated 31-01-2018 to refer the case given below to Insolvency and Bankruptcy Board of India, for replacement of name of Interim Resolution Professional (IRP) with Resolution Professional (RP) and to appoint him in the following matter:-

C.P. No. 1045/ I &BP/NCLT/MB/MAH/2017

The copy of the order dated 31-01-2018 passed by Court No.1 of NCLT, Mumbai Bench in the said Insolvency Petition is enclosed for your kind perusal.

In view of above submission I am directed to request you to kindly appoint Mr. Arun Kumar as an Resolution Professional (RP) in place of Interim Resolution Professional (IRP) Mr. Adesh Kumar Mehta in above referred matter under intimation to this Bench.

Yours Faithfully

(V. S. HAJARE)

(DEPUTY DIRECTOR)

Encl-As above

2

NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

C.P No. 1045/(MAH)/2017

CORAM:

Present:

SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)

SHRI V. NALLASENAPATHY  
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 31.01.2018

NAME OF THE PARTIES:

Vandana Udhyog Ltd.  
V/s.  
Manush Commodities Ltd & Ors.

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
--------	------	-------------	-----------

1	ANUSH MATHKAR		
2	DHANANJAY KUMAR i/l CHIRU AMARGAND MANGALDAS		
	ADV FOR FINANCIAL CREDITOR (LL&FS)		

*Asm...*

SHRUTI SARDESAI  
i/b AARSH MENTA,  
IRP

↓ COUNSEL

↓

ASHISH PYASI

Advocate  
i/b Dine & Dine Associates  
Adv. for Corporate Debtor  
custodian management

*As...*

**ORDER**

**CP 1045/I&BP/NCLT/MB/MAH/2017**

The Counsel appearing on behalf of the Committee of Creditors has mentioned that this Bench passed an order on 13.11.2017 for replacement of Interim Resolution Professional with Resolution Professional but that order, the Registry not being able to trace it out so far, he says, intimation has not gone to IBBI for recommendation of the name of the Resolution professional.

In view of the submissions made by the Counsel appearing on behalf of the Committee of Creditors, when this Bench enquired about this issue, the Registry has confirmed the information given by the Counsel appearing on behalf of the Committee of Creditors saying that the Registry could not trace out the said order despite the Registry made all efforts to locate that order.

In the light of this factual aspect, for the Resolution of the Committee of Creditors is on record reflecting the approval for replacement of the IRP namely Mr. Adesh Kumar Mehta with RP namely Mr. Arun Kumar (Registration No.IBBI/IPA-003/IP-N00030/2017-18/10230) by the Committee of Creditors, this Bench hereby has given directions to the Registry to communicate to IBBI for recommending the name already suggested by the CoC and place before this Bench within 10 days hereof.

Sd/-

V. NALLASENAPATHY  
Member(Technical)

Sd/-

B. S. V. PRAKASH KUMAR  
Member (Judicial)