

## Division Bench

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P.No.173/2017  
IA-171/2017

**Present: Hon'ble Member (J) Shri Vijai Pratap Singh**  
**Present: Hon'ble Member (J) Shri K.R.Jinan**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 16<sup>th</sup> August, 2017, 10.30 A.M

Name of the Company	Berger Paints India Ltd. -Versus- Precision Engineers & Fabricators Pvt.Ltd.		
Under Section	8 & 9 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Anirban Ray { Respondent Rajesh Ray 16/8/17  
2. Nupur Jain  
3. Rajesh Ray

1. SIDDHARTH BANERJEE, Adv.	Axis Bank Ad.	A 16.08.12
2. URMILA CHAKRABORTY, Adv.		
3. S. K. BANERJEE, Adv.		

1. Ishani Sengupta of L&T Finance Limited  
Financial Creditor

1. S. M. Gupta, F.C.S. → I.R.P. Supts  
16/8/17  
2. Mr. K. Ananta Rao, F.C.S.  
3. Mr. Aniruddha Roy, Aderolot

P. T. O.

## ORDER

Ld. IRP as well as Ld. Counsels for the financial creditor and the corporate debtor are present.

IRP has filed progress report dated 12/08/2017, which may be taken on record.

It appears from the minutes of the CoC dated 29/06/2017 that CoC has unanimously decided to appoint Shri S.M.Gupta a Resolution Professional. In view of the decision of the CoC the name of IRP, Shri S.M.Gupta, is confirmed to work as Resolution Professional.

It appears from the record that Shri S.M.Gupta has accepted Rs.1,00,000/- as remuneration, again CoC recommended Rs. 2,00,000/- as remuneration and in its meeting dated 11/08/2017 has approved the remuneration of RP of Rs. 3,00,000/-. It is pertinent to mention here that IRP has given his consent to accept Rs.1,00,000/- then how his remuneration is increased from Rs. 1,00,000/- to Rs.3,00,000/-, is a matter of concern and CoC will decide on the matter in its next meeting.

List the matter on 30/08/2017 for further order.

(K.R.Jinan)  
Member (J)

(Vijai Pratap Singh)  
Member (J)