

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CP(IB) No.170/KB/2017
C.A.(IB) No.50/KB/2018

Present: 1. Hon'ble Member (J) Shri Vijai Pratap Singh
2. Hon'ble Member (J) Shri Jinan K.R

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 15th January 2018, 10.30 A.M

Name of the Company	RBL Bank Ltd-Vs-MBL Infrastructure Ltd		
Under Section	60 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1.	Tyoti Singh	} Adv.	Sanjeev Ahuja. R.P.	Rahul Baddy 15/1/18.
2.	Rahul Baddy			

1.	Sanjeev Ahuja. R.P.	Self.	Sanjeev Ahuja 15/1/18.
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1)	Ms Sidhanta Sharma, Adv	} For Punjab National Bank	P 15/1/18
2)	Ms Navrasen Bera, Adv		

1.	MR. RATNANKO BANERJI, Sr. Adv.	} For the Resolution Applicant, Mr. Anjanee Kr. Lakhotia	Soman 15/1/2018
2.	MR. D.N. SHARMA, Adv.		
3.	MS. NEHA SOMANI, Practising Company Secretary		

①	Mr. Balaram Pandit, Adv.	} SBI
②	Ms. Masini Kalsi, Adv	

15/1/2018

ORDER

Ld. Resolution Professional (RP) as well as Ld. Counsel for the RP, financial creditor and the Ld. Counsel for the Resolution Applicant is present. No one is present from the corporate debtor's side.

CA (IB) No. 50/KB/2018 has been filed by the Resolution Applicant seeking certain directions against the dissenting creditors. Ld. Counsel appearing on behalf of the Resolution Applicant has also emphasised on the order passed in **Company Appeal (AT) (Insolvency) No. 330 of 2017** by the Hon'ble NCLAT dated 11/01/2018. It appears from the said order of the Hon'ble NCLAT that directions has been passed as follows :

"Post the matter on 25th January, 2018 along with Company Appeal (AT) (Insolvency) No. 01/2018.

In the meantime, the Adjudicating Authority may pass any appropriate order in the interest of the company and stakeholders, but will not pass any order accepting the resolution plan."

In view of the order of the Hon'ble NCLAT any decision on the resolution plan cannot be taken without a further directions from the Hon'ble NCLAT.

However, Resolution Applicant has filed CA (IB) No. 50/KB/2018 with a prayer as follows :

"(a) Notice of this application be given to the members of COC mentioned in paragraph 4(dd) to ascertain their views and to reconsider their decision in

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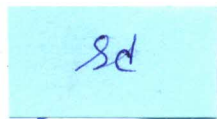
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the matter of approval of the final resolution plan of MBL Infrastructures Ltd. Submitted by the applicant;"

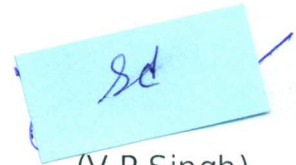
Let notice be issued on the dissenting creditors and creditor , who have abstained from voting regarding their opinion. Resolution Professional may issue notice in terms of prayer (a) on the dissenting creditors.

RP has filed the further report, which may be taken on record.

List it instead of 16/01/2018 on **31/01/2018** along with the pending C.A., if any.



(Jinan K.R.)
Member (J)



(V.P.Singh)
Member (J)