

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

MA No.187/2017
in
C.P. NO. 31/I&BP/2017

Under Section 10 of the I&B Code, 2016

Miscellaneous Application filed u/s.22 of
I&B Code, 2016.

In the matter of
Bank of India Applicant

v/s.

Gupta Coal India Pvt. Ltd.
.... Corporate Debtor

Order delivered on: 4.8.2017

Coram: Hon'ble Mr. B.S.V. Prakash Kumar, Member (Judicial)
Hon'ble Mr. V. Nallasenapathy, Member (Technical)

For the Petitioner: 1. Mr. Nilesh Sharma, Partner;
2. Mr. Ashish Pyasi, Senior Associate;
3. Ms. Pragya Khaitan, Senior Associate
i/b Dhir & Dhir Associates

For the Respondent: 1. Faiza A. Dhanani, Advocate for Applicant
i/b Dhruve Liladhar & Co.

Per B. S. V. Prakash Kumar, Member (Judicial)

ORDER

Bank of India, being a lead Bank of Consortium Banks, filed this MA 187/2017 u/s.22 of the Code stating that Committee of Creditors meeting was held on 28.4.2017 wherein unanimous decision has been taken for replacement of IRP Mr. Devendra Singh already appointed by the Corporate Debtor by Insolvency Resolution Professional Mr. Abhay Narayan Manudhane, it has also been further

resolved u/s.22(3) of the Code to apply for the appointment of the proposed Resolution Professional.

On perusal of the resolution passed in the meeting of Creditors held on 28.4.2017 proposing for appointment of Mr. Abhay Narayan Manudhane, Regn. No. IBBI/IPA-001/IP-P00054/2016-17/10128, having address 201, Shubh Ashish, 129, Model Town, Four Bungalows, Andheri West, Mumbai – 400053, as Resolution Professional, and there being no objection from Corporate Debtor, this Bench hereby forwards this name of Resolution Professional Mr. Abhay Narayan Manudhane, to the Insolvency and Bankruptcy Board of India for its confirmation u/s.22(5) of the Code.

Accordingly, this Application hereby makes it clear that Interim Resolution Professional Mr. Devendra Singh, Registration No. IBBI/IPA-002/IP-N00001/2016-17/10001, having address at ATS, Green Paradiso, Flat No.02054, Tower-2, Plot No.GH-03, Sector-CHI-04, Greater Noida-201 308, Dist. Gautam Budh Nagar, Uttar Pradesh, already appointed, shall continue until confirmation is received from the Insolvency & Bankruptcy Board of India as per Section 22(5) of the I&BP Code.

Accordingly, this Application is hereby allowed.

Order Pronounced on 14.6.2017 and delivered on 4.8.2017.

Sd/-

V. NALLASENAPATHY
Member (Technical)

Sd/-

B.S.V. PRAKASHKUMAR
Member (Judicial)