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**BEFORE THE AJUDICATING AUTHORITY
(NATIONAL COMPANY LAW TRIBUNAL)
AHMEDABAD BENCH
AHMEDABAD**

IA 369/2017 in C.P. (I.B) No. 19/7/NCLT/AHM/2017

Coram:



**Present: Hon'ble Mr. BIKKI RAVEENDRA BABU
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 16.11.2017**

Name of the Company: IDBI (COC).
V/s.
Nitin Hasmukh Parikh & Ors.

Section of the Companies Act: Section 22 of the Insolvency and Bankruptcy
Code

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
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1.	AKSHAT KHARE	Advocate	Applicant	
2.	Nitin H. Parikh	IRP	Respondent	

ORDER

Learned Advocate Mr. Akshat Khare i/b Moson LE Experts present for Applicant (COC). None present for Respondent in IA 369/2017.

IRP present.

IRP represented that he has no objection for the proposal made by the COC to appoint another person in his place.

In the first meeting of COC held on 20.06.2017 it was resolved by the members that "the adjourned meeting shall be finalized on Finalization of the name of Resolution Professional and the meeting agreed that the same shall be held at shorter notice".

In the second meeting of COC held on 20.07.2017 the meeting was adjourned.

In the meeting of COC held on 04.10.2017 it was resolved unanimously by the members of the COC to replace the IRP.

In the third point of the COC held on 04.10.2017 the COC resolved to replace Mr. Nitin Parikh with Mr. Anshuman Chaturvedi as Resolution Professional.

This application^{u and} filed by COC for the relief of extension of duration of resolution process beyond 180 days is not maintainable since it has to be filed only by resolution professional if the COC required such extension of duration of CIRP.

However, considering the fact that some time has been consumed in disposing of IA 230/2017. Coming to the relief of extension of time for completing the resolution process the resolution professional after his appointment is entitled to file an application under section 12(2) of the code if so authorised by the COC.

This application is filed under section 22 (3) of the Code in view of the above said resolution passed by COC this Adjudicating Authority is forwarding the name of Mr. Anshuman Chaturvedi as Resolution Professional in CP(IB) 19/2017 to IBBI.

Registry is directed to address letter to IBBI accordingly.

Application is disposed of accordingly.

List the matter on 17.11.2017 for confirmation by IBBI.

Application is disposed of accordingly.

 16.11.17
BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 16th day of November, 2017.