

NATIONAL COMPANY LAW TRIBUNAL: ALLAHABAD BENCH

C.A. No. 50/2017

(Application under Section 27 of the Insolvency and Bankruptcy Code, 2016 filed on behalf of the Authorized Representative of Committee of Creditors)

In

Company Petition No. 24/ALD/2017

In the matter of

JEKPL Private Limited

Plot No.15, Knowledge Park II,

Greater Noida – 201306

Gautambudh Nagar,

Uttar Pradesh

Through the Authorized Representative
of the Committee of Creditors

.....Applicant

Memo of Parties

JEKPL Private Limited

Plot No.15, Knowledge Park II,

Greater Noida – 201306

Gautambudh Nagar,

Uttar Pradesh

.....Corporate Applicant

Present: **Shri Anurag Khanna, Advocate along with Shri Raghav Dev Garg for the Company Petitioner (Committee of Creditors)**
 Ms. Gunjan Jadwani for the I.R.P Mr. Dinkar Venkatshubramanian

ORDER

Dated 12th May 2017

(As per Harihar P. Chaturvedi, Member J.)

The case is taken up fixed today for pronouncement of order in the present Company Petition.

The present Company Petition is filed under Section 27 of the I.B. Code for replacement of the I.R.P appointed by this Tribunal. Pursuant to a decision of the



committee of creditors of the Corporate Applicant Company. In its previous order dated i.e. 01.05.2017 this Court earlier permitted the petitioner (i.e. Committee of Creditors of Corporate Applicant Company) to serve a Dasti notice on the registered office of the Corporate Applicant Company and also to the Learned I.R.P appointed by this Tribunal.

In response thereto Advocate Ms. Gunjan Jadwani appears and files an affidavit of Shri Dinkar Venkatsubramanian, the I.R.P. by this affidavit the Learned I.R.P deposes inter alia that he is aware of the decision of committee of creditors of JEKPL Pvt Ltd for replacing him by way of a Resolution passed and further nominating Shri Mukesh Madan Gupta instead of him on 19.04.2017. He further reports that such conscious decision was taken by a committee of creditors in its meeting held on 19th April 2017 under his Chairmanship only. Therefore, he expressed his no objection for his substitute Shri Mukesh Mohan Gupta being appointed as the Resolution Professional in the Corporate Applicant Company. Thus he has supported the present petition filed (by the committee of creditors) under Section 27 of I & B Code, 2016.

Since no other kind of objection is received nor there is any response from the office of the Corporate Applicant Company. Hence we are of the view that the prayer sought for in the present application deserved to be allowed, hence it is allowed to this extent that a copy of this order along with the name of Shri Dinkar Venkatsubramanian (the proposed R.P) be forwarded to the Insolvency and Bankruptcy Board of India, (7th Floor, Mayur Bhawan, Connaught Place, New Delhi) under the provisions of Section 22 (4) (5) of the I & B Code, for the purpose of confirmation of Resolution Professional as nominated by the committee of creditor on behalf of the Corporate Applicant Company. The Board is also at liberty to consider the name of other appropriate Resolution Professionals including Shri Mukesh Mohan Gupta for appointment as R.P. in the Corporate Applicant Company.

With the above stated observation, the present Company Petition is allowed and accordingly disposed of.

A copy of this order be forwarded to the I & B Board of India, New Delhi and as well as to the office of Central Govt. through office of RD/ROC.


SH. H.P. CHATURVEDI (Judicial Member)

12/05/2017