

IN THE NATIONAL COMPANY LAW TRIBUNAL,
DIVISION BENCH, CHENNAI

TCP/3(IB)/CB/2017

(Under Section 9 of the Insolvency and Bankruptcy Code 2016 r/w Rule 6 of the
Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016)

In the matter of

M/s. Nupower Renewables Private Ltd.
Vs

M/s. Cape Infrastructure Private Ltd.

Order delivered on 27th of July, 2017

CORAM :

CH MOHD SHARIEF TARIQ, MEMBER (JUDICIAL)
S. VIJAYARAGHAVAN, MEMBER (TECHNICAL)

*For the Petitioner(s) : Counsel, Mr. Velmurugan, Ms. Girija
Velmurugan and Mr. K. S. Elangovan,*

ORDER

Per: CH MOHD SHARIEF TARIQ

1. This order is with regard to the Petition No. TCP/3 (IB)/CB/2017, wherein on 07.07.2017, an Order came to be passed by this Bench admitting the Application and declaring the moratorium. However, there was no proposal with regard to the name of the Interim Resolution Professional (IRP). Therefore, vide order dated 07.07.2017, the Insolvency and Bankruptcy Board of India (IBBI) was

asked to recommend the name of the IRP in the matter. Accordingly, the Registry was directed to make reference to IBBI for recommending the name of IRP, which was not done as by that time on 07.07.2017 a written communication in Form 2 from Ms. Usha Balasubramanian was received stating that she has been proposed by the Operational Creditor for appointment as IRP. In support of the said communication of IRP, Counsel for the Petitioner (Operational Creditor) has also filed a Memo dated 27.07.2017, proposing her as IRP.

2. Therefore, we hereby appoint Ms. Usha Balasubramanian as IRP as proposed by the Petitioner Operational Creditor in the matter for a period of 30 days reckoning from the date of this order and direct her to cause public announcement as per Section 15 of the Insolvency and Bankruptcy Code, 2016 (I&B Code, 2016) and to make compliance with the provisions of Sections 13(2), 15, 17 and 18 of the I&B Code, 2016. Further, it is directed ^{that} the Corporate Debtor and its promoters or any other person associated with the management of the Corporate Debtor to assist and co-operate with the IRP as stipulated under Section 19 of the I&B Code, 2016.

3. The Operational Creditor and Registry are directed to inform the IRP to make public announcement within three days from the date the copy of the Order is received and take over the charge of the management/asset. This shall form part of the order dated 07.07.2017. A copy of this Order shall immediately be sent to Operational Creditor and Corporate Debtor.

4. The Registry is also directed to inform the name and address details of the IRP to the Operational Creditor and the Corporate Debtor with immediate effect. The details of IRP are as follows:-

Ms. Usha Balasubramanian,
Regn.No:(IBBI/IPA-002/IP-N00180/2017-18/10451)
Flat No. 6B, 1st Floor,
Pushpavanam Apartment,
No.43/18, 3rd Main Road,
Gandhi Nagar, Adyar,
Chennai – 600020
E-Mail:-ubaindia@gmail.com

S. Vijayaraghavan

(S.VIJAYARAGHAVAN)
MEMBER (TECHNICAL)

PAM

CH. MOHD. SHARIEF TARIQ
(CH. MOHD. SHARIEF TARIQ)
(MEMBER (JUDICIAL))