

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH**

**MA No.313/2017 &  
IA No.54/2017  
in  
C.P. NO.1058/I&BP/2017**

**Under Section 10 of I&BC, 2016**

**In the matter of :  
Arun Kapoor ... Applicant  
Interim Resolution  
Professional**

**Unity Infraprojects Limited  
.... Corporate Debtor**

**Order delivered on: 17<sup>th</sup> August, 2017**

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

**For the Petitioner:** **Mr. HurshMeghani**  
Mr. Ashwin Gowda  
i/b Acuity Law  
Adv. for Interim Resolution Professional

**For the Respondents:** Ms. Ishita Advani i/b Desai & Diwanji,  
Adv. for Committee of Creditors of  
Corporate Debtor  
  
Mr. Ashish Kamat, Counsel  
a/w Mr. Deepak Deshmukh  
i/b NaikNaik & Co. in CP No.1058 of 2017  
Adv. for Corporate Debtor

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

**ORDER**

On the Application moved by the State Bank of India on behalf of  
the Financial Creditors stating that the Committee of Creditors in the

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meeting held on 28.7.2017 resolved to appoint Mr. Alok K. Saxena as Insolvency Resolution Professional to replace Mr. Arun Kapoor Interim Resolution Professional appointed by NCLT in the order dated 20.6.2017, this Bench, being satisfied that this application is in accordance with Section 22 of I&B Code, hereby forwards the name of the IRP namely Mr. Alok K. Saxena to the Insolvency & Bankruptcy Board of India for its confirmation within 10 days of receipt of the name of the proposed Resolution Professional, thereby this Adjudicating Authority is able to appoint Mr. Alok K. Saxena as IRP after confirmation by the Board.

2. For the Committee of Creditors having already resolved to continue Mr. Arun Kapoor as Interim Resolution Professional until appointment of IRP Mr. Alok K. Saxena as sought by them is done, this Bench u/s. 22(5) of the Code directs the Interim Resolution Professional to continue to function as Resolution Professional, until such time, the Board confirms the appointment of the proposed Resolution Professional as Resolution Professional.

3. In the Order above passed, it is clarified that Interim Resolution Professional will continue to perform his duties until the appointment of the new Resolution Professional.

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4. As to other relief sought in MA 54/2017, such as accrued expenses and other dues, Mr. Arun Kapoor, RP is hereby directed to place financial aspects before the Committee of Creditors.

5. Accordingly, this MA54/2017 filed by RP Mr. Kapoor, is hereby disposed of.

6. List this matter on 1.9.2017 with a liberty to the Committee of Creditors to mention accordingly.

Order pronounced on 11.8.2017 and delivered on 17.8.2017.

Sd/-

V. NALLASENAPATHY  
Member (Technical)

Sd/-

B.S.V. PRAKASH KUMAR  
Member (Judicial)