

(2021) 12 NCLT CK 0019
In the National Company Law Tribunal
Case No : CP(IB) 844 of 2019
Alcock Ashdown(Gujarat) Ltd Vs

Date of Decision : 01-12-2021

Acts Referred:

Insolvency and Bankruptcy Code, 2016 — Section 12

Citation : (2021) 12 NCLT CK 0019

Hon'ble Judges : Dr.Deepti Mukesh, Member (J);Kaushalendra Kumar Singh, Member (T)

Bench : Division Bench

Advocate : Kunal P Vaishnav

Final Decision : Disposed Of

Judgement

IA/803(AHM) 2021

Application filed by RP seeking correction of error in recording the proceedings of the meeting of CoC on 01.10.2020. In the order dated 05.10.2021 at page No. 5 para 2, which records as follows "On a request of M/s Sanathan Textiles Private Limited CoC in its 7th CoC meeting held on 01.10.2020, the resolution plan of SVG Fashions Private Limited was opened before the CoC". The learned Counsel for RP states that since M/s Sanathan Textiles Private Limited had not submitted the plan till 01.10.2020, hence, they were not present in the said meeting on 01.10.2020 and as such no request was made by M/s Sanathan Textiles Private Limited and the error so made in the order needs to be corrected. The Learned Counsel took us through the minutes of meeting of CoC dated 01.10.2020 which nowhere records any request made by M/s Sanathan Textiles Private Limited since they were not present at all.

In view of the above, we are convinced that this line as recorded above needs to be deleted and accordingly removed from the order. Order stands corrected to that effect. The corrected part will read as "in the 7th meeting of the CoC held on 01.10.2020, the resolution plan of SVG Fashions Private Limited was opened before CoC". The application is allowed and disposed of on above directions.