

(2021) 09 NCLT CK 0040

In the National Company Law Tribunal

Case No : IA 2098/2021 In C.P. (IB)/4289(MB)2018

Edelweiss Assets Reconstruction Co Ltd Vs Siddharth World Trade Pvt Ltd ?

Date of Decision : 27-09-2021

Acts Referred:

Insolvency and Bankruptcy Code, 2016 — Section 7, 27, 60(5)
National Company Law Tribunal Rules, 2016 — Rule 11

Citation : (2021) 09 NCLT CK 0040

Hon'ble Judges : Ashok Kumar Borah, Member (J); Shyam Babu Gautam, Member (J)

Bench : Division Bench

Advocate : Nishit Dhruva

Final Decision : Allowed/Disposed Of

Judgement

The matter is taken up through Virtual Hearing (VC).

IA 2098/2021:- Counsel, Mr. Nishit Dhruva appeared for the applicant. The present application has been filed on behalf of the Committee of Creditors under Sections 27 and 60 (5) of the Insolvency and Bankruptcy Code, 2016 read with rule 11 of the NCLT Rules, 2016 seeking direction from this Bench to allow the replacement of Mr. Sameer Kakar as a Resolution Professional (RP) of the Corporate Debtor company and to appoint Mr. Shekhar Kumar Agrawal as the new RP of the Corporate Debtor company.

Vide Notification dated 11.09.2021 bearing reference no. 18/15/2020-EO(SM.II), issued by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, Secretariat of the appointments Committee of the Cabinet, Government of India, the appointment of the said Mr. Sameer Kakar has been approved for the post of Technical Member in the National Company Law Tribunal. In view of the above, we are releasing the said RP, Mr. Sameer Kakar to act as a RP in the present Company Petition bearing no. 4289/2018 with appointment of Mr. Shekhar Kumar Agrawal having registration number as IBBI/IPA-002/IP-N00883/2019-2020/12874 as the RP in the present company petition.

In view of the above, this Bench deems it fit and proper to appoint Mr. Shekhar Kumar Agrawal as the new RP. Hence, the present IA bearing no. 2098/2021 is allowed and disposed of.