

(2019) 09 NCLT CK 0085

In the National Company Law Appellate Tribunal

Case No : Company Petition No. IB-1449/ND Of 2019

M/S Real Value Plastics Pvt. Ltd.

APPELLANT

Vs

M/S M.K. Overseas Pvt. Ltd.

RESPONDENT

Date of Decision : 19-09-2019

Acts Referred:

Insolvency And Bankruptcy Code, 2016 — Section 11

Citation : (2019) 09 NCLT CK 0085

Hon'ble Judges : Dr. Deepti Mukesh, J; Hemant Kumar Sarangi, Member (Technical)

Bench : Division Bench

Final Decision : Disposed Of

Judgement

Hemant Kumar Sarangi, Member (T)

This order shall dispose of (IB)-1449/(ND)/2019.

The necessity of going into the merit of the claim made by the petitioner in above mentioned petition is obviated because in respect of the Corporate

Debtor we have admitted another petition namely M/s. Mayoga Investments Ltd. Vs. M/s M.K. Overseas Pvt. Ltd., [IB-1731/(ND)/2019], vide order

dated 20.09.2019. As per the provisions of Section 11 of the Code, 2016 another Corporate Insolvency Resolution Process cannot be initiated against

a corporate debtor that is undergoing a corporate insolvency resolution process. However, it is needless to add, that the petitioners would be entitled to

file their claim before the Insolvency Professional, namely Mr. Suresh Kumar Jain, address at 3775/3 Kanhaiya Nagar, Delhi â?" 110035 and having

registration No. IBBI/IPA-001/IP-P01179/2018-19/11839, mobile No. 9911219473 and email id suresh1958@rediffmail.com, in accordance with law

which shall be duly considered.

The office is directed to communicate a copy of the order to the Interim Resolution Professional, Operational Creditors and the Corporate Debtor immediately.

The above-mentioned petition is disposed of in the above terms.