

(2020) 01 NCLT CK 0078

In the National Company Law Appellate Tribunal

Case No : Company Petition No. IB-683/ND Of 2019

M/S Vikas Scaffolding Systems

APPELLANT

Vs

M/s BR Kohli Buildtech Private Limited

RESPONDENT

Date of Decision : 14-01-2020

Acts Referred:

Insolvency And Bankruptcy Code, 2016 — Section 11

Citation : (2020) 01 NCLT CK 0078

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

Bench : Division Bench

Advocate : Shubham Bansal

Final Decision : Disposed Of

Judgement

Hemant Kumar Sarangi, Member (T)

This order shall dispose of (IB)-683/(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 Mr. Rahul Mittal Proprietor of M/s. OPKK & Company Vs. M/s BR Kohli Buildtech Pvt. Ltd.,

[IB-1583/(ND)/2018], vide order dated 14.01.2020. 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. Jyoti Ranjan Tarafdar, having registration no.

IBBI/IPA-001/IP-P-01000/2017-2018/11647, email address is ip.jyotiranjana@gmail.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.