
(2019) 09 NCLT CK 0075

In the National Company Law Appellate Tribunal

Case No : Company Petition No. IB-1389/ND Of 2018

M/S Vinnolit Gmbh & Co.Kg.

APPELLANT

Vs

M/S A.M. Vinyl Pvt. Ltd.

RESPONDENT

Date of Decision : 04-09-2019

Acts Referred:

Insolvency And Bankruptcy Code, 2016 — Section 11

Citation : (2019) 09 NCLT CK 0075

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

Bench : Division Bench

Advocate : Preet Pal Singh, Saurabh Sharma

Final Decision : Disposed Of

Judgement

Dr. Deepti Mukesh, J

This order shall dispose of (IB)- 1389(ND)/2018.

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 Swastik Interchem Pvt. Ltd. Vs. M/s A.M. Vinyl Pvt. Ltd., [(IB)-1005(ND)/2018] vide order

dated 04.09.2019. As per the provisions of Section 11 of the Code, 2016 another Corporate Insolvency 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 Ms. Sujata Sharma having email address is sujatasharma2205@gmail.com ,contact number is

9810079081 and registration No.IBBI/IPA-001/IP-P01418/2018-19/12188 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 Creditor and the Corporate Debtor immediately.

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