

(2023) 06 NCLT CK 0076

In the National Company Law Tribunal

Case No : IA No. 764/2023 In CP(IB) No. 334/Chd/Pb/2019

S.K Yarns Vs Jindal Agro Mills Pvt. Ltd ?

Date of Decision : 13-06-2023

Acts Referred:

Insolvency and Bankruptcy Code, 2016 — Section 60(5)

Citation : (2023) 06 NCLT CK 0076

Hon'ble Judges : Harnam Singh Thakur, Member (J); Subrata Kumar Dash, Member (T)

Bench : Division Bench

Advocate : Vikas Bali, Ravinder Gill

Final Decision : Disposed Of

Judgement

Harnam Singh Thakur, Member (Judicial)

1. The present application is filed in main CP (IB) No. 334/Chd/Pb/2023, under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 (for brevity 'IBC' / 'Code'), by S.K. Yarns through its Proprietor Mr. Sushil Aggarwal (for brevity 'Operational Creditor' / 'Petitioner'), for proposing the name and credentials of Interim Resolution Professional which was not proposed at the time of filing of the petition.

2. Since, the main petition CP(IB) No. 334/Chd/Pb/2019 was rejected and stood dismissed vide order dated 02.06.2023 as there was a pre-existing dispute between the parties regarding the amount claimed by the petitioner. Therefore, in view of the same, present application renders infructuous and stands disposed of accordingly.