

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

113

C.P (IB) No. 349/KB/2017
CA(IB) No.116/KB/2018

Present: 1. Hon'ble Member (J) Shri Jinan K.R
2. Hon'ble Member (J) Shri M. B Gosavi

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 02nd May 2018, 10.30 A.M

Name of the Company	Ramsarup Industries Ltd		
Under Section	10 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

- 1) Jishnu Chowdhury, Adv
 - 2) Diprani Thakur, CS
 - 3) Prathang Gupta, Adv
- } on behalf of Corporate Debtor

MS. Debaleena Ganguly / Respon 1 IA 116 KB/18
Mr. Debabrata Ganguly } Diprani Thakur 02/05/2018
Debaleena Ganguly 2.5.18

INDRANIL KARIA
Advocate.

IREDA ✓ Indranil Karia 2/5/2018.

- 1) Nilesh Sharma
- 2) Maynak Bose.
- 3) Priyanka Tibrewal Barna Roy
- 4) Sheristi Akhrajee

For R.P. 2/05/18.

Uday Somkar Bhattacharya }
Bhaskar Prasad Senapati }
Advocate

Customs 2/5/18

Mr. Vikram Nadehra } For ARCIL
Ms. Vidushi Chakraborty }
Mr. Souman Ghosh }
Advocates P.T.O.

113 CA No. 116/KB/2018 in CP(IB) No. 349/KB2017 - Ramsarup Industries Ltd.

ORDER

Ld. Counsel on behalf of Resolution Professional as well as Ld. Counsel for the IREDA, Custom, ARCIL, respondent no. In IA 116/KB/2018 and the corporate debtor is present.

Ld. Counsel appearing for the Resolution Professional submits that approval of the appointment of changed Resolution Professional is pending for want of approval by the Insolvency and Bankruptcy Board of India (IBBI). However, we are in receipt of the approval from the IBBI on 02/04/2018 confirming appointment of **Mr. Kshitiz Chhawchharia, Registration No. IBBI/IPA-001/IP-P00358/2017-18/10616**, which was placed before us and there is nothing adverse on record against the Insolvency Professional. It is recorded.

Ld. Counsel appearing for the suspended directors of the corporate debtor submits that he has filed an application opposing the appointment of changed Resolution Professional, Mr. Kshitiz Chhawchharia, for the reason that he is already appointed as Resolution Professional in Concast Steel & Power Ltd. It is not a bar. However, Mr. Kshitiz Chhawchharia has already been appointed by this Adjudicating Authority as per the request of the Committee of Creditors. Therefore, we hereby regularise the appoint of Mr. Kshitiz Chhawchharia as Resolution Professional (RP).

RP is directed to file progress report. Ld. IRP is directed to handover all the records to the RP within 3 days.

Ld. Counsel appearing for the suspended director submits that he has also filed an application. Let it be numbered, if defect free, and posted for hearing.

Sd

Sd

Ld. Counsel appearing for the respondent no. 1 in CA (IB) No. 116/KB/2018 submits that he could not file reply affidavit for want of getting instructions from Customs and sought further time to file the same. Time is granted. To be filed within 7 days by serving a copy of the reply affidavit to the RP and the RP is directed to file rejoinder, if any, within 7 days of receipt of the reply affidavit by serving a copy of the rejoinder to the respondent no. 1. Ld. Counsel appearing for the Customs submits that Customs did not deal with the property of the corporate debtor during the pendency of the hearing of the application.

For further consideration list the CA along with CP on 06/06/2018.

Sd

(M.B. Gosavi)
Member (J)

Sd

(Jinan K.R.)
Member(J)