

IN THE NATIONAL COMPANY LAW TRIBUNAL
COURT NO. IV, NEW DELHI

Item No. 10
CA. 357, 379 /ND/2020, (IB)-1144/(ND)/2019

Under Section: 9 of IBC.

In the matter of:

M/s P.S.T Trading

....Applicant

Vs.

Components Ekdant Buildtech Pvt.

....Respondent

Order delivered on 15.01.2020

CORAM

**DR. DEEPTI MUKESH,
HON'BLE MEMBER (J)**

**SHRI HEMANT KUMAR SARANGI,
HON'BLE MEMBER (T)**

For the Applicant : Mr. Mohak Sharma, Adv.
For the Respondent :

ORDER

CA No. 357/ND/2020: Application is filed by one of the CoC members, Cooperate Bank, on behalf of CoC, seeking change of Resolution Professional. Learned counsel states that vide this Bench order dated 04th November 2019, Mr. Satish Joshi was appointed as IRP of the Corporate Debtor M/s Ekdant Buildtech Pvt. Ltd. In the 01st CoC meeting, held on 06th December 2019, the agenda for confirming the IRP to RP was rejected by CoC and thereafter, in 02nd CoC meeting held on 27th December 2019, at agenda item No. 11 the CoC deliberated the issue of replacing the



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16/1/2020

present IRP by a new Resolution Professional. Agenda was put for voting and by 100% voting share, the CoC members approved the agenda. The name of Mr. Subhash Kumar Kundra was accepted and took decision for filing of this application. The copy of 01st and 02nd CoC minutes, alongwith voting outcome, are annexed to the application. Form "AA" with the consent of new Resolution Professional is also annexed. Considering the submissions made by learned counsel and documents placed on record, we allow this application hereby and present IRP Mr. Satish Joshi is to be replaced by Mr. Subhash Kumar Kundra as Resolution Professional for present Corporate Debtor. Application is allowed and disposed of in terms of above order.

CA No. 379/ND/2019: This is an application filed by IRP, seeking prayer that Adjudicating Authority may be pleased to direct certain parties to corporate and pass such order as necessary. There is no memo of parties filed. No name is filed against whom, the order is required to be passed. Application is defective, hence, application is dismissed.

Sd/-
(HEMANT KUMAR SARANGI)
MEMBER (TECHNICAL)

Vaishali

Sd/-
(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)



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16/01/2020

Handwritten signature 16.1.2020
Deputy Registrar
National Company Law Tribunal
CGO Complex, New Delhi-110003

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