

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL****DELHI BENCH****CASE NO IB-65/ND/2020****In the Matter of****Ashutosh Gupta V/s****M/s Prathvi Coal Pvt Ltd ..... Corporate Debtor****INDEX**

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Date :- 26.11.2022

(RANJAN CHAKRABORTI)

Place :- Delhi

Interim Resolution Professional- M/s Prathvi Coal Pvt Ltd

Regn. No. IBBI/PA-002/IP-N00541/2017-2018/11618

Ph. No. 9811703727, Mail-Id :- [ranjanns@gmail.com](mailto:ranjanns@gmail.com)

Regd. Office :- 1/22, Second Floor, Asaf Ali Road, New Delhi-110002.

E-mail(Regd.) :- [ranjanns@gmail.com](mailto:ranjanns@gmail.com)Process specific email :- [prathvicoal@gmail.com](mailto:prathvicoal@gmail.com)

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL**

**DELHI BENCH**

**CASE NO IB-65/ND/2020**

**In the Matter of**

**Ashutosh Gupta V/s**

**M/s Prathvi Coal Pvt Ltd.....Corporate Debtor**

**List of Creditors under Regulation 13(2)(d) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations being submitted by Interim Resolution Professional in Annexure –A.**

**Report certifying Constitution of Committee of Creditors under Regulation 17(1) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations being submitted by Interim Resolution Professional in Annexure –B.**

**Copy of Public Announcement in Form A as per Regulation 6(2)(a) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulation being submitted by Interim Resolution Professional in Annexure –C.**

1.The application for Corporate Insolvency Resolution Process filed by Mr. Ashutosh Gupta , under section 9 of the insolvency and Bankruptcy Code read With Rule 6 of Insolvency and Bankruptcy (Application fo Adjudicating Authority) Rules 2016 and was admitted by NCLT , Delhi Bench vide order No- **IB-65/ND/2020** dated 04.11.2022 wherein the undersigned was appointed as Interim Resolution Professional who was directed to take necessary actions In



accordance with the relevant provisions of the Insolvency and Bankruptcy Code.

2. In Compliance with Regulation 13(2)(d) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulation 2016, a list of creditors along with amount claimed, claims admitted, Security interest in respect of claims is enclosed in **Annexure A** .

3. In Compliance with Regulation 17(1) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Person) Regulation 2016 a report certifying the Constitution of Creditors is enclosed as '**Annexure B**'

.. 4. Copy of Public Announcement in Form A as per Regulation 6(2)(a) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulation being submitted by Interim Resolution Professional in **Annexure -C** for kind perusal of Honb'le NCLT ,



Date :- 26.11.2022 (RANJAN CHAKRABORTI)  
 Interim Resolution Professional- M/s Prathvi Coal Pvt Ltd  
 Place :- Delhi Regn. No. IBBI/IPA-002/IP-N00541/2017-2018/11618  
 Ph. No. 9811703727, Mail-Id :- [ranjanns@gmail.com](mailto:ranjanns@gmail.com)  
 Regd. Office :- 1/22, Second Floor ,Asaf Ali Road , New Delhi-110002.  
 E-mail(Regd.) :- [ranjanns@gmail.com](mailto:ranjanns@gmail.com)  
 Process specific email :- [prathvicoal@gmail.com](mailto:prathvicoal@gmail.com)

## Annexure -A

### M/s Prathvi Coal Pvt Ltd (Corporate Debtor)

#### List of creditors as on insolvency commencement date:-

S. No	Name of Creditors	Address	Amount Claimed by The Creditors (In Rupees)	Amount Admitted (In Rs. Rupees)	Security Interest.if Any,in respect of such claim (in Rupees)
1.	Mr. Ashutosh Gupta	9/283, Sector -3 , Rajinder Nagar , Sahibabad , Ghaziabad , Uttar Pradesh - 201005	678625.00	<b>400000.00</b>	None
	<b>TOTAL</b>		678625.00	<b>400000.00</b>	None



Date :- 26.11.2022

(RANJAN CHAKRABORTI)

Place :- Delhi

Interim Resolution Professional- M/s Prathvi Coal Pvt Ltd

Regn. No. IBBI/PA-002/IP-N00541/2017-2018/11618

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Regd. Office :- 1/22, Second Floor ,Asaf Ali Road , New Delhi-110002.

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Process specific email :- [prathvicoal@gmail.com](mailto:prathvicoal@gmail.com)

**ANNEXURE :- B**  
**REPORT CERTIFYING THE CONSTITUTION OF**  
**COMMITTEE OF CREDITORS**

1. The application for Corporate Insolvency Resolution Process filed by Mr. Ashutosh Gupta under section 9 of the Insolvency and Bankruptcy Code read with Rule 6 of Insolvency and Bankruptcy (Application fo Adjudicating Authority) Rules 2016 was admitted by NCLT Delhi Bench Court-III vide order no **IB- 65/ND/2020** dated 04.11.2022 where in the undersigned, was appointed as Interim Resolution Professional who is directed to take necessary actions In accordance with the relevant provisions of the Insolvency and Bankruptcy Board of India.

2. The registered office of M/s. Prathvi Coal Pvt. Ltd. (corporate Debtor) is situated at 102, 1ST FLOOR, AJNARA TOWER LSC SAVITA VIHAR DELHI DELHI - 110092 (address of the Registered Office as per MCA data. ) , although no establishment of the company could be traced there by repeated visit to trace it.

3. In Compliance with Section 13, Section 15 and other applicable sections of the Code read with Regulation 6 of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016 (here in after called 'Regulations'), a public announcement :-

a. intimating the commencement of Corporate insolvency Resolution Process of M/s. Prathvi Coal Pvt. Ltd. and

b. calling the creditors to submit the proof of claims was made on Financial Express , New Delhi Edition...) and on JanSatta (Hindi – New Delhi Edition).

4. The last date of submission of claims was 19.11.2022

5. the public notice sought proof of claims from financial creditors in form C as stipulated in Regulation 8. Till the last date of claim the undersigned interim professional has not received claims from the following financial creditors.



Sl No	Name of the Financial Creditor	Amount of claim	Details of security interest
Nil	Nil	Nil	Nil

6. The public notice sought proof of claims from operational creditors in form B as stipulated in Regulation 7. Till the last date of claim the undersigned interim professional has received claims from the following , operational creditors :-

SL.No	Name of the Operational Creditor	Amount of claim (admitted )
1	Mr. Ashutosh Gupta	<b>Rs.400000.00</b>

7. The public notice sought proof of claims from other creditors in form D/Form E as stipulated in Regulation 9. Till the last date of claim the undersigned interim professional has received claims from the following workman /employee/Authorised representative of workmen and employees

SL. No	Name of the Other Creditor	Amount of claim
Nil	Nil	Nil

**8. The undersigned Interim Resolution professional has verified the claims of the aforesaid creditor and in the absence of the books of accounts as suspended directors have not yet provided the same , have depended on the claim received in response of Public Announcement and petition filed by actual applicant of the case. Individual intimation by sharing the Public Announcement to Compulsorily Convertible Debenture Holders has been pursued by vigorous perusal of RoC data of the Company from inception period. For other creditors the undersigned IRP is pursuing for detail with the suspended management and the person as was assigned by Suspended Director for providing informations and records. The CoC has been constituted on the basis of claim received till date.**

9. The list of creditors is being filed with **Hon'ble National Company Law Tribunal** in compliance with Regulation 13 (2)(d).

10. In compliance with Section 21(1) of the Code the undersigned interim resolution professional certifies the constitution of the Committee of Creditors which consists of the following creditors.

**a. Mr. Ashutosh Gupta .**



Date :-26.11.2022 (RANJAN CHAKRABORTI)  
Interim Resolution Professional- M/s Prathvi Coal Pvt Ltd  
Place :- Delhi Regn. No. IBBI/IPA-002/IP-N00541/2017-2018/11618  
Ph. No. 9811703727,Mail-Id :-[ranjanns@gmail.com](mailto:ranjanns@gmail.com)  
Regd.Office :-1/22, Second Floor ,Asaf Ali Road , New Delhi-110002.  
E-mail(Regd.) :- [ranjanns@gmail.com](mailto:ranjanns@gmail.com)  
Process specific email :- [prathvicoal@gmail.com](mailto:prathvicoal@gmail.com)

A large, stylized handwritten signature in black ink, likely belonging to Ranjan Chakraborti, positioned at the bottom right of the page.

## **ANNEXURE :- C**

### **Copy of Public Announcement in Form A as per Regulation 6(2)(a) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulation.**

Copy of Public Announcement in Form A as per Regulation 6(2)(a) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulation being submitted by Interim Resolution Professional in **Annexure -C** for kind perusal of Honb'le NCLT .





<b>FORM A PUBLIC ANNOUNCEMENT</b> (Under Regulation 6 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)	
<b>FOR THE ATTENTION OF THE CREDITORS OF PRATHVI COAL PRIVATE LIMITED</b>	
RELEVANT PARTICULARS	
1. Name of corporate debtor	PRATHVI COAL PRIVATE LIMITED
2. Date of incorporation of corporate debtor	07/02/2006
3. Authority under which corporate debtor is incorporated / registered	RoC-Delhi
4. Corporate Identity No. / Limited Liability Identification No. of corporate debtor	U13100DL2006PTC145986
5. Address of the registered office and principal office (if any) of corporate debtor	102, 1ST FLOOR, AJNARA TOWER LSC SAVITA VIHAR DELHI DELHI East Delhi DL 110092 IN
6. Insolvency commencement date in respect of corporate debtor	Date of Order-04.11.2022 Date of receipt of order-04.11.2022
7. Estimated date of closure of insolvency resolution process	03.05.2023
8. Name and registration number of the insolvency professional acting as interim resolution professional	<b>Ranjan Chakraborti</b> Regn. No. <b>IBBI/PA-002/IP-N00541/2017-2018/11618</b>
9. Address and e-mail of the interim resolution professional, as registered with the Board	1/22, Second Floor, Asaf Ali Road, New Delhi-110002. Registered E-mail-id :- ranjanns@gmail.com.
10. Address and e-mail to be used for correspondence with the interim resolution professional	<b>C Ranjan and Associates -17D/522, Konark Enclave, Vasundhara, Ghaziabad, U.P-201012</b> Process Specific mail-id :- <a href="mailto:prathvicoal@gmail.com">prathvicoal@gmail.com</a>
11. Last date for submission of claims	19.11.2022
12. Classes of creditors, if any, under clause (b) of sub-section (5A) of section 21, ascertained by the interim resolution professional	Not applicable as of now as Corporate Debtor is yet to give access of Books of Accounts.
13. Names of Insolvency Professionals identified to act as Authorised Representative of creditors in a class (Three names for each class)	Not applicable as of now as Corporate Debtor is yet to give access of Books of Accounts.
14. (a) Relevant Forms and (b) Details of authorized representatives are available at:	Web link :- <a href="https://www.ibbi.gov.in/home/downloads">https://www.ibbi.gov.in/home/downloads</a> . Physical Address :- <b>Not applicable</b> ....

Notice is hereby given that the National Company Law Tribunal has ordered the commencement of corporate insolvency resolution process of the corporate debtor 'PRATHVI COAL PRIVATE LIMITED (CIN- U13100DL2006PTC145986) on 04.11.2022.

The creditors of 'PRATHVI COAL PRIVATE LIMITED' are hereby called upon to submit their claims with proof on or before 19.11.2022 to the interim resolution professional at the address mentioned against entry No. 10.

The financial creditors shall submit their claims with proof by electronic means only. All other creditors may submit the claims with proof in person, by post or by electronic means.

A financial creditor belonging to a class, as listed against the entry No. 12, shall indicate its choice of authorised representative from among the three insolvency professionals listed against entry No.13 to act as authorised representative of the class in Form CA. As Corporate Debtor is yet to give access of Books of Accounts, financial creditor belonging to a class can inform the Interim Resolution professional in the mail-id mentioned at serial no. -10.

Submission of false or misleading proofs of claim shall attract penalties.

**Name and Signature of Interim Resolution Professional** : Ranjan Chakraborti  
**Date and Place** : 05.11.2022, Delhi.



Date :-26.11.2022

Place :- Delhi

Regd.Office :-1/22, Second Floor, Asaf Ali Road, New Delhi-110002.

E-mail(Regd.) :- [ranjanns@gmail.com](mailto:ranjanns@gmail.com)  
Process specific email :- [prathvicoal@gmail.com](mailto:prathvicoal@gmail.com)

(RANJAN CHAKRABORTI)  
Interim Resolution Professional- M/s Prathvi Coal Pvt Ltd  
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सत्यमेव जयते

# INDIA NON JUDICIAL

## Government of National Capital Territory of Delhi

### e-Stamp

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Certificate No. : IN-DL68635799853351T

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Unique Doc. Reference : SUBIN-DLDL-SELF38294087232252T

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Description of Document : Article 4 Affidavit

Property Description : AFFIDAVIT OF NCLT AND OTHER MATTERS

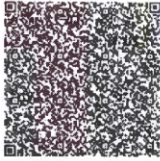
Consideration Price (Rs.) : 0  
(Zero)

First Party : RANJAN CHAKRABORTI

Second Party : NOT APPLICABLE

Stamp Duty Paid By : RANJAN CHAKRABORTI

Stamp Duty Amount(Rs.) : 10  
(Ten only)



SELF PRINTED CERTIFICATE  
TO BE VERIFIED BY THE RECIPIENT



Please write or type below this line

### BEFORE THE NATIONAL COMPANY LAW TRIBUNAL DELHI BENCH

CASE NO IB-65/ND/2020

In the Matter of

Ashutosh Gupta V/s Prathvi Coal Pvt Ltd.

### AFFIDAVIT

I am Ranjan Chakraborti, S/o Late Shri Siddheswar Chakraborti , aged about 56 years, resident in India , do hereby solemnly affirm and declare as under :-

#### Statutory Alert:

- The authenticity of this Stamp certificate should be verified at 'www.shoelastamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
- The onus of checking the legitimacy is on the users of the certificate.
- In case of any discrepancy please inform the Competent Authority.



25 NOV 2022

That I am the appointed Interim Resolution Professional of M/s **Prathvi Coal Pvt. Ltd.** (Corporate Debtor) and that the contents of the above report in Annexure-A - Containing List of Creditors as per Regulation 13(2)(d) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations , Annexure-B as Report certifying Constitution of Committee of Creditors under Regulation 17(1) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations and Annexure-C as Copy of Public Announcement in Form A as per Regulation 6(2)(a) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulation are true and correct to the best of my knowledge and nothing material has been suppressed and concealed therefrom.



DEPONENT

**Verification**

I do hereby verify and affirm that the contents of this Affidavit are true and correct to the best of my knowledge and nothing material has been suppressed and concealed therefrom.

~~ATTESTED~~

RAMPAL SINGH, ADVOCATE  
NOTARY, DISTT GHAZIABAD



DEPONENT



25 NOV 2022