

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI -  
BENCH - VI**

**IA \_\_\_\_\_ of 2023**

**IN**

**CP(IB) No.800/(PB)/2022**

**IN THE MATTER OF**

<b>Bishwa Ranjan Chatterjee</b> <b>Interim Resolution Professional</b> M/s Pratyush Infrastructure Private Limited	...Applicant/ Interim Resolution Professional
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December 13, 2023

**To,**

**The Hon'ble Registrar**

**Hon'ble National Company Law Tribunal, New Delhi Bench - VI**

Ground, 6th, 7th Floor & 8th C.G.O. Complex, Lodhi Rd, Block No. 3, New  
Delhi, Delhi 110003

Respected Sir,

I act on behalf of the above-named applicant.

Be pleased to file and take it on record the enclosed application along with the  
annexures. The said application is in accordance with the NCLT Rules and law  
as may be applicable.

Kindly acknowledge the receipt.

**Enclosed as above**

Yours Faithfully,



**Advocate Rajat Lohia**

Counsel for the Applicant

MP/1318/2017/ADV

Email: RLohiaAndAssociates@gmail.com

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**IN THE MAIN MATTER OF**

M/s Srei Equipments Finance Limited	...Financial Creditor
M/s Pratyush Infrastructure Private Limited	...Corporate Debtor

**INDEX**

<b>S. No.</b>	<b>Particulars</b>	<b>Annexure</b>	<b>Page No.</b>
1.	Memo of Parties		<b>1</b>
2.	Brief Synopsis with list of dates and events		<b>2 – 3</b>
3.	Application for placing on record report for constitution of Committee of Creditors		<b>4 – 6</b>
4.	Affidavit in support of Application		<b>7 – 8</b>
5.	Report of Constitution of the Committee of Creditors	<b>ANNEXURE P/1</b>	<b>9 – 13</b>
6.	List of Creditors	<b>ANNEXURE P/2</b>	<b>14 – 15</b>
7.	Vakalatnama		<b>16</b>
8.	Proof of Service		<b>17</b>
9.	Bharat Kosh Payment Receipt		<b>18</b>

Submitted by,

Date: - 13/12/2023

Place: - Indore

*Bishwa*

Bishwa Ranjan Chatterjee

Interim Resolution Professional

M/s Pratyush Infrastructure Private Limited

IBBI/ IPA-002/IP/N00877/2019-2020/12806

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**IN THE MAIN MATTER OF**

M/s Srei Equipments Finance Limited	<b>...Financial Creditor</b>
M/s Pratyush Infrastructure Private Limited	<b>...Corporate Debtor</b>

**MEMO OF PARTIES**

<b>Bishwa Ranjan Chatterjee</b> <b>Interim Resolution Professional</b> <b>M/s Pratyush Infrastructure Private Limited</b> Address: 68, Pink City, IDA Scheme No.94 Extension, Ring Road Indore – 452003, Madhya Pradesh Email: brcind@gmail.com cirp.pratush@gmail.com Mobile: +91-97114-01771	...Applicant/ Interim Resolution Professional
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*Bichally*

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI -  
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**IN THE MAIN MATTER OF**

M/s Srei Equipments Finance Limited	<b>...Financial Creditor</b>
M/s Pratyush Infrastructure Private Limited	<b>...Corporate Debtor</b>

**BRIEF SYNOPSIS**

1. That, the Hon'ble NCLT New Delhi Bench - VI in CP(IB) No.800/(PB)/2022 had passed an order for CIRP of Corporate Debtor on 23/11/2023 and appointed applicant as Interim Resolution Professional.
2. That, pursuant to which a public announcement was made in Form A on 24/11/2023 inviting claims from the claimants. The last date of submission of claim as per Form A was 08/12/2023.
3. That, the claims have been verified by the applicant pursuant to which applicant had constituted a Committee of Creditors and a report under Section 21 of Insolvency and Bankruptcy Code, 2016 is being filed certifying the Constitution of Committee along with List of Creditors.
4. Hence, the present application.

*Buchally*

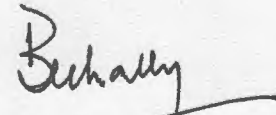
**LIST OF DATES AND EVENTS**

S. No.	Particulars	Date
1	An order for CIRP of Corporate Debtor was passed by Hon'ble NCLT, New Delhi Bench - VI, and appointed the present applicant as Interim Resolution Professional	23/11/2023
2	Public announcement in Form A inviting claims from the claimants	24/11/2023
3	Last date of submission of claims as per Form A	08/12/2023
4	Verification of claims	08/12/2023
5	Section 21 of Insolvency and Bankruptcy Code, 2016 read with Regulation 13. of IBBI (Insolvency resolution process for Corporate Persons) Regulations, 2016 requires to file Constitution of Committee of Creditors along with a List of Creditors with Hon'ble NCLT.	13/12/2023
6	Hence, the present application	

Submitted by,

Date: - 13/12/2023

Place: - Indore



Bishwa Ranjan Chatterjee

Interim Resolution Professional

M/s Pratyush Infrastructure Private Limited

IBBI/ IPA-002/IP/N00877/2019-2020/12806

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI -  
BENCH - VI**

IA \_\_\_\_\_ of 2023

IN

CP(IB) No.800/(PB)/2022

**IN THE MATTER OF**

<b>Bishwa Ranjan Chatterjee</b> <b>Interim Resolution Professional</b> M/s Pratyush Infrastructure Private Limited	...Applicant/ Interim Resolution Professional
--	---

**IN THE MAIN MATTER OF**

M/s Srei Equipments Finance Limited	...Financial Creditor
M/s Pratyush Infrastructure Private Limited	...Corporate Debtor

**APPLICATION UNDER SECTION 21 OF INSOLVENCY AND BANKRUPTCY CODE, 2016 FOR PLACING ON RECORD REPORT CERTIFYING "CONSTITUTION OF COMMITTEE OF CREDITORS" ALONG WITH THE LIST OF CREDITORS UNDER REGULATION 13(2)(d) OF THE INSOLVENCY AND BANKRUPTCY BOARD OF INDIA (INSOLVENCY RESOLUTION PROCESS FOR CORPORATE PERSONS) REGULATIONS, 2016, IN THE CORPORATE INSOLVENCY RESOLUTION PROCESS OF M/S PRATYUSH INFRASTRUCTURE PRIVATE LIMITED**

**MOST RESPECTFULLY SHOWETH THAT:-**

**I. JURISDICTION**

The registered office of the Corporate Debtor against which the Corporate Insolvency Resolution Process (hereinafter referred to as "the CIRP") has been initiated i.e. Pratyush Infrastructure Private Limited (hereinafter referred to as "Corporate Debtor") is in the New Delhi and the application w.r.t CIRP of this Corporate Debtor has been adjudicated by this Bench.

**II. LIMITATION**

The Applicant declares that the present application is within the limitation laid down in the Insolvency and Bankruptcy Code, 2016, and the Regulations framed thereunder.

**III. FACTS OF THE CASE ARE GIVEN BELOW:**

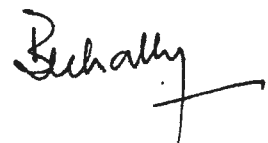
*Bishwa*

1. By way of this application, the Applicant – Interim Resolution Professional prays from this Hon'ble Adjudicating Authority to take on record a report certifying constitution of the Committee of Creditors, during the CIRP of the Corporate Debtor.
2. The Applicant submits that this Hon'ble Adjudicating Authority had admitted the application, being CP(IB) No.800/(PB)/2022, filed by the Financial Creditor under Section 7 of the Insolvency and Bankruptcy Code, 2016 vide order dated 23/11/2023.
3. That, the Hon'ble Tribunal had appointed Mr. Bishwa Ranjan Chatterjee – as Interim Resolution Professional (IRP) for the Corporate Debtor.
4. That, the Applicant – IRP had got a public announcement published on 24/11/2023 inviting claims from the claimants.
5. The Applicant – IRP hereby submits a List of Creditors as also a report certifying the constitution of CoC in connection with CIRP of M/s Pratyush Infrastructure Private Limited. In compliance with regulation 13(2)(d) and 17(1) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, a report certifying the reconstitution of CoC enclosed as **Annexure P/1** and a list of creditors as **Annexure P/2**.

#### **IV. PRAYER/RELIEF SOUGHT:**

Therefore it is prayed from this Hon'ble National Company Law Tribunal that:-

- a) Kindly take on record the report certifying the constitution of the Committee of Creditors and list of Creditors for Corporate Debtor – M/s Pratyush Infrastructure Private Limited may be allowed and accepted.
- b) Pass any other such reliefs as this Hon'ble Tribunal may deem fit.



**V. PARTICULARS OF BANK DRAFT EVIDENCING PAYMENT OF FEES FOR INTERLOCUTORY APPLICATION**

The Applicant hereby submits that requisite Application fees of Rs.1,000/- has been paid by making online payment through "Bharatkosh.gov.in" Portal of Government of India.

Submitted by,

Date: - 13/12/2023

Place: - Indore

*Bishwa*

Bishwa Ranjan Chatterjee

Interim Resolution Professional

M/s Pratyush Infrastructure Private Limited

IBBI/ IPA-002/IP/N00877/2019-2020/12806

**DECLARATION BY THE APPLICANT**

The Applicant above named hereby solemnly declares that nothing material has been concealed or suppressed and further declares that the enclosures and typed set of material papers relief upon and filed herewith are true copies of the original(s)/fair reproduction of the original(s)/ true translation thereof. Solemnly affirmed on 13/12/2023 at Indore.

*Bishwa*  
APPLICANT

*R.L.*  
COUNSEL FOR APPLICANT

**VERIFICATION**

Bishwa Ranjan Chatterjee S/o Late Probir Kumar Chatterjee, aged about 60 years having Office at 68, Pink City, IDA Scheme No.94 Extension, Ring Road Indore – 452003, being the Interim Resolution Professional, do hereby verify that the contents of the paras 1 to end are true and derived from official record and are believed to be true on legal advice and that I have not suppressed any material facts.

Solemnly affirmed on 13/12/2023 at Indore.

APPLICANT

*Bishwa*

RAJAT LOHIA  
(ADVOCATE)

(MP/1318/2017/ADV)

414-415, Manas Bhawan Extension, 11 RNT

Marg, Indore (M.P.) 452001

+91-9977802528

Email: RLohiaAndAssociates@gmail.com

**THROUGH:**

Filed On: 13/12/2023

Place: Indore







मध्य प्रदेश MADHYA PRADESH

74AA 866756



BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI -

BENCH - VI

IA \_\_\_\_\_ of 2023

IN

CP(IB) No.800/(PB)/2022

IN THE MATTER OF

**Bishwa Ranjan Chatterjee**  
**Interim Resolution Professional**  
M/s Pratyush Infrastructure Private Limited

...Applicant/  
Interim Resolution  
Professional

IN THE MAIN MATTER OF

M/s Srei Equipments Finance Limited  
M/s Pratyush Infrastructure Private Limited

...Financial Creditor  
...Corporate Debtor

**AFFIDAVIT IN SUPPORT OF APPLICATION UNDER SECTION 21 OF  
INSOLVENCY AND BANKRUPTCY CODE, 2016**

**MOHAN PAL**  
NOTARY, DIST. INDORE  
M.P. GOVT.

*Bechally*

I, Bishwa Ranjan Chatterjee S/o Late Probir Kumar Chatterjee, aged about 60 years having Office at 68, Pink City, IDA Scheme No.94 Extension, Ring Road Indore – 452003, being the Interim Resolution Professional appointed vide order dated 24/11/2023 in CP(IB) No.800/(PB)/2022 hereby takes oath and submits as under:

1. That, I was appointed as Interim Resolution Professional vide order dated 24/11/2023 in the application filed by Financial Creditor – CP(IB) No.800/(PB)/2022, under Section 7 of IBC'16 for initiation of Corporate Insolvency Resolution process in the Case No. CP(IB) No.800/(PB)/2022 by this Hon'ble Adjudicating Authority and I am duly authorised to make this affidavit.
2. I have signed an application under Section 21 of IBC'16 for placing on record report certifying "Constitution of Committee of Creditors" along with the list of creditors under Regulation 13(2)(d) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, in the corporate insolvency resolution process of M/s Pratyush Infrastructure Private Limited.
3. The statements/facts made in this report herein are true to my knowledge and information.

*Bichally*  
Deponent

#### VERIFICATION

I, Bishwa Ranjan Chatterjee S/o Late Probir Kumar Chatterjee, aged about 60 years having Office at 68, Pink City, IDA Scheme No.94 Extension, Ring Road Indore – 452003, being the Interim Resolution Professional appointed vide order dated 24/11/2023 in CP(IB) No.800/(PB)/2022, do hereby affirm and verify that the contents of the above affidavit in paragraph one to end are true to the best of my knowledge, no part of the same is false nor is any material fact concealed therefrom.

*Bichally*  
Deponent

SWORN BEFORE ME

*M. K. Pal*  
M. K. PAL  
NOTARY PUBLIC  
INDORE

# ANNEXURE P/1

9

Date: 11/12/2023

To  
The Registrar,  
National Company Law Tribunal,  
New Delhi Bench-VI  
3, C.G.O. Complex,  
Lodhi Road,  
New Delhi-110003

**Subject: Submission of Report constituting Committee of Creditors along with the List of Creditors in the matter of CIRP initiated against Pratyush Infrastructure Private Limited vide CP(IB) No.800/(PB)/2022 dated 24/11/2023.**

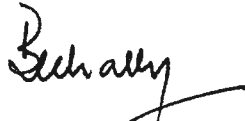
Dear Sir,

With reference to the captioned subject I am to submit the Report of constitution of CoC and also a List of Creditors as prescribed under the provisions of the IBC'16.

Hope you will find it in order; kindly take the documents on record.

Thanking you.

Yours faithfully,



(Bishwa Ranjan Chatterjee)  
IBBI/IPA-002/IP-N00877/2019-2020/12806  
Interim Resolution Professional  
CD: Pratyush Infrastructure Private Limited  
68 Pink City, IDA Scheme No.94 Extn.,  
Opposite PTS Ring Road,  
Indore, Madhya Pradesh, 452001

Encl: As above (in duplicate)

**REPORT**  
**Constituting Committee of Creditors (CoC)**  
**Before the Hon'ble National Company Law Tribunal**  
**New Delhi Bench-VI**  
**Case No. CP(IB) No.800/(PB)/2022**  
**In the Matter of: M/s Pratyush Infrastructure Private Limited**  
**(Corporate Debtor)**

List of Creditors under Regulation 13(2) (d) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations by Mr. Bishwa Ranjan Chatterjee under the Insolvency and Bankruptcy Code 2016.

The application for Corporate Insolvency Resolution Process filed by SREI Equipment Finance Limited Under Section 7 of the Insolvency and Bankruptcy Code, 2016 and Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority), Rules, 2016 was admitted by the Hon'ble National Company Law Tribunal, New Delhi Bench-VI vide CP(IB) No.800/(PB)/2022 dated 24/11/2023 wherein Bishwa Ranjan Chatterjee, 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 Board of India.

In compliance with Regulation 17(1) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation, 2016 a report certifying the constitution of Committee of Creditors is enclosed as Annexure-A in duplicate.

In the matter of  
CD: Pratyush Infrastructure Private  
Limited



(Bishwa Ranjan Chatterjee)  
IBBI/IPA-002/IP-N00877/2019-  
2020/12806  
Interim Resolution Professional

Place: Indore  
Date: 11/12/2023

**ANNEXURE – A**  
**REPORT CERTIFYING THE CONSTITUTION OF COMMITTEE OF**  
**CREDITIORS**

1. The application for Corporate Insolvency Resolution Process filed by SREI Equipment Finance Limited (Financial Creditor) under Section 7 of the Insolvency and Bankruptcy Code of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 was admitted by the Hon'ble NCLT New Delhi Bench-VI vide CP(IB) No.800/(PB)/2022 dated 24/11/2023 wherein Bishwa Ranjan Chatterjee, the undersigned was appointed as an Interim Resolution Professional who was directed to take necessary actions in accordance with the relevant provisions of the Insolvency and Bankruptcy Board of India.
2. The Registered Office of the Pratyush Infrastructure Private Limited is situated at A-42, Kailash Colony, New Delhi, India, 110048.
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 against Pratyush Infrastructure Private Limited; and
  - b. Calling the creditors to submit the proof of claims were inserted on 26/11/2023 in The Financial Express Delhi (English Newspaper) and in Jansatta (Hindi Newspaper).
4. The last date of submission of claims was 08/12/2023.
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 (i.e. 08/12/2023) the undersigned Interim Resolution Professional has received claims from the following financial creditor:

SN	Name of Creditors/ Type of Creditors	Amount claimed by the Creditors (in Rs.)	Percentage of voting rights at CoC meeting

*Bishwa Ranjan Chatterjee*

1	SREI Equipment Finance Limited / Financial Creditor (FC)	47,13,93,697/-	99.90%
2	HDFC Bank Limited/ Financial Creditor (FC)	4,75,959.06/-	0.10%
	Total	47,18,69,656.06/-	100%

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 (i.e. 08/12/2023) the undersigned Interim Resolution Professional has not received any claims from the following operational creditor:

SI No.	Name of Creditors/ Type of Creditors	Amount claimed by the	Amount admitted (in Rs.)
1.	Not Available*	Not Available*	Not Available*

\*IRP has specifically asked corporate debtor to provide the details regarding creditors during his meeting on 01/12/2023 at the registered office of the company apart from the two mentioned above till date no response from corporate debtor received.

7. The public notice sought proof of claim from operational creditors in Form D, Form E & Form F as stipulated in Regulation 9 & 9A. Till the last date of claim (i.e. 08/12/2023) the undersigned Interim Resolution Professional has not received any claims from the following workman/employee/authorized representative of workmen and employees/claim by creditors (other than financial creditors and operational creditors):

SI No.	Name of the Creditor	Amount of claim (in Rs.)
NIL	NIL	NIL

8. The list of creditors is being filed with Hon'ble National Company Law Tribunal New Delhi Bench-VI in compliance with Regulation 13(2) (d).

*Behally*

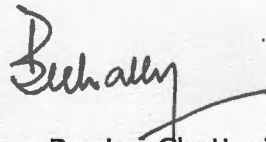


9. In compliance with Section 21(1) of the Code the undersigned being an Interim Resolution Professional certifies the constitution of the Committee of Creditors consisting of the financial creditors is as follows:

- a. SREI Equipment Finance Limited / Financial Creditor (FC)
- b. HDFC Bank Limited/ Financial Creditor (FC)

In the matter of

CD: Pratyush Infrastructure Private Limited



(Bishwa Ranjan Chatterjee)

IBBI/IPA-002/IP-N00877/2019-2020/12806

Interim Resolution Professional

Place: Indore

Date: 11/12/2023

**LIST OF CREDITORS**

**Before the Hon'ble National Company Law Tribunal New Delhi  
Bench-VI**

**Case No. CP(IB) No.800/(PB)/2022**

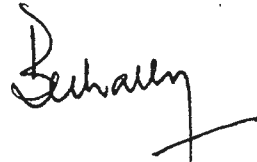
**In the Matter of: M/s Pratyush Infrastructure Private Limited  
(Corporate Debtor)**

List of Creditors under Regulation 13(2) (d) of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations by the IRP (Bishwa Ranjan Chatterjee) under the Insolvency and Bankruptcy Code, 2016.

1. The application for Corporate Insolvency Resolution Process filed by SREI Equipment Finance Limited, Financial Creditor under Section 7 of the IBC' 2016 was admitted by the NCLT, New Delhi Bench-VI vide Order CP(IB) No.800/(PB)/2022 dated 24/11/2023 wherein Bishwa Ranjan Chatterjee, 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. In Compliance with Regulation 13(2) (d) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation, 2016 a list of creditors along with amount claimed, security charge to the creditors in respect of claims is enclosed at Annexure-A in triplicate.

In the matter of

CD: Pratyush Infrastructure Private  
Limited



(Bishwa Ranjan Chatterjee)

IBBI/IPA-002/IP-N00877/2019-  
2020/12806

Interim Resolution Professional

Place: Indore

Date: 11/12/2023



## Annexure-A

## Pratyush Infrastructure Private Limited

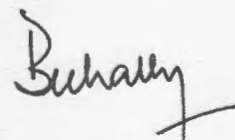
## List of creditors

As on 11/12/2023

S. No.	Name of Creditors/ Type of Creditors	Address	Amount claimed by the Creditors (in Rs.)	Amount admitted (in Rs.)	Security Charge in respect of such claim
1.	SREI Equipment Finance Limited (Financial Creditor)	Vishwakarma, 86C, Topsia Road (south) Kolkata, West Bengal Pincode - 700046	47,13,93,697/-	47,13,93,697/-	Yes/ Secured on Second Hand Machinery and cash flow
2.	HDFC Bank Limited	"HDFC Bank House" Senapati Bapat Marg, Lower Parel (West), Mumbai	4,75,959.06/-	4,75,959.06/-	Yes/ Secured by Hypothecation of Innova Car
	<b>Total</b>		<b>47,13,93,697/-</b>	<b>47,13,93,697/-</b>	

In the matter of

CD: Pratyush Infrastructure Private Limited



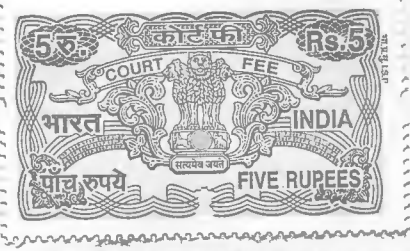
(Bishwa Ranjan Chatterjee)

IBBI/IPA-002/IP-N00877/2019-2020/12806

Interim Resolution Professional

Place: Indore

Date: 11/12/2023



**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI -  
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**IN THE MATTER OF**

<b>Bishwa Ranjan Chatterjee</b> <b>Interim Resolution Professional</b> M/s Pratyush Infrastructure Private Limited	...Applicant/ Interim Resolution Professional
--	---

**VAKALATNAMA**

We, the Respondents named below do hereby appoint, engage and authorize advocate(s) named below to appear, act and plead in aforesaid Case/proceedings, which include application for restoration, setting aside of ex-parte orders, corrections, modifications, review and recall of orders passed in these proceedings, in this Court or in any other Court in which the same may be tried/ heard/ proceeded with and also in the appellate, revisional or executing Court in respect of proceedings arising from this Case/ proceedings as per agreed terms and conditions and authorize him/ her/ them to sign and file pleadings, appeal, cross-objections, petitions, applications, affidavits, or other documents as may be deemed necessary or proper for the prosecution/ defense of the said case in all its stages and also agree to ratify and confirm acts done by him/ her/ them as if done by me:

In witness whereof, I do herein to set my hand to these presents, the contents of which have been duly understood by me/us, this 13/12/2023.

**Particulars (In block letters) of each Party Executing Vakalatnama**

Name & Father's/ Husband's Name	Registered Address	Status in the Case	Full Signature/ Thumb Impression
<b>Bishwa Ranjan Chatterjee</b> Interim Resolution Professional - Pratyush Infrastructure Private Limited	68, Pink City, IDA Scheme No.94 Extension, Ring Road Indore - 452003, Madhya Pradesh	Applicant/ Petitioner	

**Particulars (In block letters) of each Advocates accepting  
Vakalatnama**

Full name and Enrolment No. in State Bar Council	Address for Service	Email Address (if any)	Telephone Number	Full Signature
<b>RAJAT LOHIA</b> <b>MP/1318/2017/ADV</b>	414-415, Manas Bhawan Extension, 11 RNT Marg, Indore, Madhya Pradesh RLohiaAndAssociates@gmail.com 9977802528			

Accepted subject to the terms of Fees