



IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

**Item No. 614
IB-2185(ND)/2019**

IN THE MATTER OF:

M/s. Sun Control Systems (Partnership Firm)

...PETITIONER

Vs.

M/s. Aarcity Infrastructure Pvt. Ltd.

...RESPONDENT

Section

U/s 9 of IB Code, 2016

**Order delivered on 17.11.2022
(Virtual Hearing)**

Coram:

SHRI P.S.N PRASAD, HON'BLE MEMBER (JUDICIAL)

SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

For the Petitioner/Operational Creditor :Adv. Bhuvan Arora

For the IRP :Adv. Depaish Tangoriya

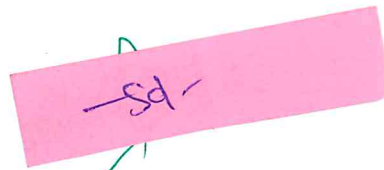
For the Suspended Board of Directors :Adv. Kunal Godhwani

ORDER

Heard the submissions made by the counsel for the Corporate Debtor and also counsel for the Operational Creditor and counsel for the Resolution Professional. Counsel for the Resolution Professional is directed to submit his vakalatnama. The issue regarding payment of GST has been raised today. This Tribunal clarifies that the amount of Rs. 6,00,000/- (six lakhs) inclusive of GST on the fees and on the expenses since GST is already paid at the time of meeting the expenses, there is no point in calculating the separate GST for it. Therefore, the Resolution Professional is directed to accept a total sum of Rs. 6,00,000/- (six lakhs) which is the appropriate and proper amount and this will be inclusive of any tax to be paid. The Resolution Professional is directed to comply with the order within next three days, failing which he may show cause


(Anjula)



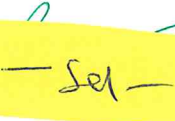




why disciplinary action should not be recommended to IBBI for inquiring and taking action in this matter. Let this matter be posted after a week days. All the counsels are directed to extend full cooperation and get the matter amicably resolved. List this matter along with all the IAs (IA/4647/2022, IA/4033/2022 and IA/1479/2022) on **29.11.2022**.


— Sel —

(Rahul Bhatnagar)
Member (T)


— Sel —

(P.S.N Prasad)
Member (J)