

**NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH**  
**COURT III**

14. I.A. 2479/2021  
I.A. 2477/2021  
I.A. 1836/2021  
C.P.(IB)-3198(MB)/2019

CORAM: SHRI H.V. SUBBA RAO, MEMBER (J)  
SHRI CHANDRA BHAN SINGH, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL  
COMPANY LAW TRIBUNAL ON **21.04.2022**

**NAME OF THE PARTIES:**

|                                 |  |
|---------------------------------|--|
| Total Global Pvt Ltd            |  |
| V/s                             |  |
| Gopinath Engineering Co Pvt Ltd |  |

SECTION 9 OF INSOLVENCY AND BANKRUPTCY CODE, 2016

## ORDER

Mr. Shyam Kapadia a/w. Mr. Nikhil Rajani, Mr. Apoorva Kulkarni i/b. M/s. V. Deshpande & Co. for DCB Bank Ltd. Adv. Krirshkumar Jain i/b Sriraj Menon for Respondent No. 2 are present through virtual hearing. Mr. Manoj Hard, counsel appearing for the Corporate Debtor is also present through virtual hearing.

None appeared for the Interim Resolution Professional despite specific direction given to the IRP to remain present before this Bench with a further direction to file appropriate application under Section 12A as per the directions of the Hon'ble NCLAT vide order dated 08.03.2022 directing the IRP to file appropriate Application before the adjudicating authority within 2 weeks without fail. Despite repeated directions by this Bench as well as Hon'ble NCLAT, the Resolution Professional, Mr. Suresh Chandra Jena having IBBI Registration No IBBI/IPA-001/IP-P01540/2019-2020/12473 is not bothered to respect the orders of both NCLT and Hon'ble NCLAT. Since the matter has been settled between the parties and payment has been made by the Corporate Debtor, this Bench feels that this is a fit case for reporting to IBBI against the conduct of the IRP, Mr. Suresh Chandra Jena. Accordingly,

this Bench hereby directs the Registrar to communicate this order to the Chairman IBBI to initiate appropriate disciplinary proceedings against the IRP.

List this matter on **26.04.2022**.

Sd/-  
CHANDRA BHAN SINGH  
Member (Technical)

Sd/-  
H.V. SUBBA RAO  
Member (Judicial)