

C.A. (IB) No. 844/KB/2018
In
C.P. (IB) NO. 175/KB/2017
Barjora Steel & Re-Rolling Mills Pvt. Ltd.

**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

**C.A. (IB) No. 844/KB/2018
In
C.P. (IB) No. 175/KB/2017**

In the matter of :

An application under Section 9 of the Insolvency and Bankruptcy Code, 2016.

AND

In the matter of :

**M/S. BARJORA STEEL & RE-ROLLING MILLS PRIVATE LIMITED, having its Registered Office
at 135A, Biplabi Rashbehari Bose Road, 1st Floor, Hare Street, Kolkata - 700001**

AND

In the matter of :

Company Petition (IB) No. 175/KB/2017

AND

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C.A. (IB) No. 844/KB/2018
In
C.P. (IB) NO. 175/KB/2017
Barjora Steel & Re-Rolling Mills Pvt. Ltd.

In the matter of :

M/S. SREERAMPUR ISPAT PRIVATE LIMITED

... Operational Creditor

VERSUS

BARJORA STEEL & RE-ROLLING MILLS PRIVATE LIMITED

.... Corporate Debtor

AND

In the matter of:

Interlocutory Application No. 844/KB/2018

AND

In the matter of:

THE DURGAPUR PROJECTS LIMITED

... Applicant/Intervenor

VERSUS

M/S. BARJORA STEEL & RE-ROLLING MILLS PRIVATE LIMITED & ANR

... Non- Applicant Respondent

In the matter of :

1. **M/S. SREERAMPUR ISPAT PRIVATE LIMITED**
2. **BARJORA STEEL & RE-ROLLING MILLS PRIVATE LIMITED**
3. **THE DURGAPUR PROJECTS LIMITED**

Petitioners

Order pronounced on : 14/05/2019

Coram: Shri Jinan K.R., Hon'ble Member (Judicial).

Counsels on Record :

- | | |
|---------------------------------|---|
| 1. MR. ANJAN KUMAR ROY, FCS |] For Operational Creditor and |
| 2. MR. JEEVAN KUMAR JHA, ACS |] Applicant in IA 844/2018 and 274/2019 |
| 3. MR. VINOD KUMAR KOTHARI, PCS |] Liquidator |
| 4. MS. BARSHA DIKSHIT, PCS |] |

ORDER

Per Shri Jinan K.R, Member (Judicial)

1. This is an application filed by One of the Operational Creditors of the Corporate Debtor claiming that its claim to the tune of Rs. 3,48,44,290/- has not been admitted by the Liquidator and prays for issuing direction to the Liquidator to consider and include the claim of the applicant.
2. Pending this application the very same applicant has filed one another CA as CA(IB) 274/KB/2019 challenging the order of rejection of the claim of the applicant submitted to the Liquidator.
3. This application was heard along with the C.A. (IB) No. 274/KB/2019. In reply to this application the Ld. Liquidator submits that the applicant's claim was received by him on

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14/5/19


26th May, 2018 and since the applicant has submitted his claim beyond the period of limitation as per Section 38(1) of the Code the claim has been rejected and it has been intimated to the applicant by way of e-mail.

4. Upon hearing the arguments submitted on the side of the Applicant as well as on the side of the Liquidator and being satisfied that order of rejection has been sent by the Ld. Liquidator to the Registered e-mail published in the master data, the allegation of non consideration of claim by the Liquidator is found devoid of any merit. Accordingly this application requires no further consideration and liable to be dismissed.

5. The **C.A. (IB) No. 844/KB/2018** is **disposed off** accordingly.

6. There is no order as to costs.

7. Urgent certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.


17/5/17
(Jinan K.R.)

Member (Judicial)

Signed on this, the 14th day of May, 2019.

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