



THE NATIONAL COMPANY LAW TRIBUNAL

COURT VI, NEW DELHI

I.A. 5981/ND/2022

IN

Company Petition No. (IB) – 2115/(ND)/2019

*Under Section 60(5) of the Insolvency and Bankruptcy
Code, 2016.*

IN THE MATTER OF:

DMI FINANCE PVT. LTD.

.... FINANCIAL CREDITOR

VERSUS

M/S ABLOOM INFOTECH PVT. LTD.

..... CORPORATE DEBTOR

AND IN THE MATTER OF:

M/S DAUPHIN CABLES PRIVATE LIMITED

.... APPLICANT

VERSUS

RP MR. PARVEEN BANSAL

...RESPONDENT



CORAM:

**SHRI. BACHU VENKAT BALARAM DAS, HON'BLE MEMBER
(JUDICIAL)**

**SHRI RAHUL BHATNAGAR, HON'BLE MEMBER
(TECHNICAL)**

For the Applicant: Mr. Manish Paliwal, Adv for the applicant

ORDER

PER- RAHUL BHATNAGAR, MEMBER (TECHNICAL)

Order Pronounced on: 14.02.2023

1. This Application has been filed by M/s Dauphin Cables Private Limited, one of the shareholders of the Corporate Debtor i.e., Abloom Infotech Private Limited under section 60(5) praying for the following reliefs: -

- a) Direct the resolution professional to give documents and calculation based on which applicant admitted the claim of Financial Creditor.*
- b) Direct the resolution professional to place documents and calculation based on which applicant admitted the claim of Financial Creditor.*
- c) Direct the Resolution Professional redetermine the claim amount of the Financial Creditor in accordance with the provisions of the IBC.*



d) That to pass any other order as this Hon'ble Tribunal may see fit in lieu of justice

2. We have heard the Ld. Counsels for both the parties at length.

3. The applicant i.e. Dauphin Cables Private Limited has prayed to provide documents and calculation based on which the RP admitted the claim of the Financial Creditor.

4. The applicant has however failed to point out under which provision/ regulation he can claim such documents.

5. It is responsibility of Resolution Professional under section 18(1)(b) of the Code to collate all the claims submitted by creditors after verifying the same from supporting documents.

In case the creditors have any grievance against the decision of Resolution Professional they can file application under 60(5) of the Code for seeking relief.

6. We are of the considered view that there are no provisions in the code in which the Shareholders can ask for such documents from Resolution Professional. However, in the interest of justice and fair play, we direct the Resolution Professional to file an additional affidavit stating the claims



admitted by the Resolution Professional with all the supporting documents and calculations within 7 days from the date of pronouncement of this order in the main Company Petition.

7. I.A. 5981/2022 stands disposed of in terms of the above order.

Let a copy of order be served to parties.

SD/-	SD/-
(RAHUL BHATNAGAR)	(BACHU VENKAT BALARAM DAS)
MEMBER (TECHNICAL)	MEMBER (JUDICIAL)



IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

**Item No. 608
IB-2115(ND)/2019**

IN THE MATTER OF:

M/s. DMI Finance Pvt. Ltd.

...PETITIONER

Vs.

M/s. Abloom Infotech Pvt. Ltd.

...RESPONDENT

Section

U/s 7 of IB Code, 2016

**Order delivered on 14.02.2023
(Virtual Hearing)**

Coram:

**SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)
SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Petitioner/Financial Creditor

**:Mr. Vipul Ganda, Ms. G. Sharma,
Ms. Abhipsa Mohanty and Ms.
Priyanka Jindal, Advs.**

For the RP

**:Mr. Madhur Dhingra and Mr.
Karan Bharihoke, Advs. Mr. Mohit
Jolly Adv., Ms. Veenu Drall Adv.
along with RP "Mr. Parveen Bansal"**

For the NOIDA Authority

**:Mr. Rachit Mittal Adv along with
Mr. Parish Mishra Adv along with
Ms. Pooja Kapur Adv**

For the Applicant

:Mr. Manish Paliwal, Adv.

For the Respondent/Corporate Debtor

:Mr. Sumit Sinha, Adv. for R2 and 5.

ORDER

Due to paucity of time, matter is adjourned to **01.03.2023**.

**Sd/-
(COURT OFFICER)**