

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P. NO. IB-138(PB)/2019

IN THE MATTER OF:

Mr. Piush Lohia & Anr.Financial Creditors/Petitioners
v.

Soni Infratech Private Limited

.....Corporate Debtor/Respondent

SECTION: Under Section 7 of The Insolvency and Bankruptcy Code, 2016

Judgment delivered on 03.01.2020

Coram:

CHIEF JUSTICE (RTD.) M.M. KUMAR

Hon'ble President

SHRI S.K. MOHAPATRA

Hon'ble Member (T)

PRESENT:

For the Petitioner: Mr. G.P. Madaan & Mr. Utkarsh
Mishra, Advocates

For the Respondent: Mr. Aamir Khan & Mr. Rohit Saroj,
Advocates

M.M. KUMAR, PRESIDENT

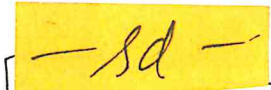
JUDGMENT

Against the same Corporate Debtor, NCLT, New Delhi Bench (Court No. II) have admitted another petition filed under Section 7 of the Insolvency and Bankruptcy Code, 2016 namely Mr. Balram Singh v. M/s. Soni Infratech Private Limited, [(IB)-2239(ND)/2019] vide order dated 22.11.2019.

2. As per the provisions of Section 11 of the Code another Corporate Insolvency Process cannot be initiated against a corporate debtor that is undergoing a corporate insolvency resolution process. However, it is needless to add that the petitioners would be entitled to file their claims before the Insolvency Professional namely Mr. Bhim Sain Goyal with the address 405, Skylark Building, 60, Nehru Place, New Delhi-110019, Registration No. IBBI/IPA-002/IP-N000726/2018-19/12216 which shall be duly considered in accordance with law. However liberty given to revive the petition in case the earlier order is set aside.

3. The office is directed to communicate a copy of the order to the Interim Resolution Professional, Financial Creditors and the Corporate Debtor immediately.

4. The present petition stands disposed of in the above terms.


(M.M. KUMAR)
PRESIDENT


(S.K. MOHAPATRA)
MEMBER (T)

03.01.2020
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