

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

(IB)-801(PB)/2019

IN THE MATTER OF:

Mr. Krishan Arora

.....Financial Creditor/Petitioner

v.

M/s. Soni Infratech Private Limited

.....Corporate Debtor/Respondent

SECTION:

Under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 03.01.2020

CORAM:

CHIEF JUSTICE (RTD.) M. M. KUMAR

HON'BLE PRESIDENT

SH. S. K. MOHAPATRA

HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Petitioner:

Mr. Sumant Batra and Mr. Nikhil Gupta,
Advocates

For the Respondent:

Mr. Aamir Khan and Mr. Rohit Saroj, Advocates

ORDER

This order shall dispose of (IB)-801(PB)/2019 & (IB)-279(PB)/2019.

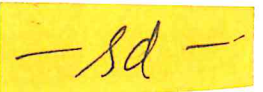
2. The necessity of going into the merit of the claim made by the petitioners in above mentioned petitions is obviated because in respect of the Corporate Debtor NCLT, New Delhi Bench (Court No. II) have admitted another petition filed under Section 7 of the Insolvency and Bankruptcy Code, 2016 namely Mr. Balram Singh v. M/s. Soni Infratech Private Limited, [(IB)-2239(ND)/2019] vide order dated 22.11.2019. As per the provisions of Section 11 of the Code, 2016 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 in accordance with law which shall be duly considered.

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 above mentioned petitions are disposed of in the above terms.



(M.M.KUMAR)
PRESIDENT



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

03.01.2020
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