

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH-II

IA. 3687/ND/2021

IN

Company Petition No. (IB)-957(PB)/2020

IN THE MATTER OF:

Mr. Amanjyot Singh Gulati

...Applicant

Versus

1. **Mr. Arun Chadha**
Resolution Professional:
Gulati Retails India Limited & Ors.
727, Brahmapuri, Meerut
Uttar Pradesh-250002
...Respondent No.1
2. **Punjab & Sind Bank,**
Gurudwara Road, Gurugram
...Respondent No.2
3. **ICICI Bank Ltd.**
Qutub Plaza Market
DLF, Phase-1, Gurugram
...Respondent No.3
4. **Mr. Navneet Kumar Jain**
Resolution Professional
Flat No. 2D, OCS Apartments
Mayur Vihar, Extension-I,
New Delhi-110091
...Respondent No.4

Order Delivered on: 31.08.2021

SECTION: 60(5) of IBC 2016 r/w Rule 11 of NCLT Rules 2016 and
SECTION: 420(2) of the Companies Act r/w Rule 154 of NCLT Rules

CORAM:

SH. ABNI RANJAN KUMAR SINHA, HON'BLE MEMBER (J)

SH. L. N. GUPTA, HON'BLE MEMBER (T)

PRESENTS:

For the Applicant : Mr. Rajesh Bohra, Advocate

(IB)-957(PB)/2020 IA. 3687/ND/2021
Mr. Amanjyot Singh Gulati Vs Gulati Retail India Limited & Ors.



ORDER

PER SHRI L. N. GUPTA, MEMBER (T)

The present I.A. No. 3687 of 2021 is preferred by Mr. Amanjyot Singh Gulati (**hereinafter referred to as 'Applicant'**) under Section 60(5) of IBC, 2016 read with Rule 11 of NCLT Rules 2016,

2. That the Applicant has made the following prayers in the application under consideration:

- "a) This Hon'ble Authority, be pleased to direct Mr. Navneet Kumar Jain, Resolution Professional to submit Report under Sub-Section (7) of Section 99 of the Code before this Hon'ble Authority*
- b) Pass such further or other orders as this Hon'ble Authority may deem fit and proper..."*

3. To put succinctly, facts of the case are that the Personal Guarantor i.e., Mr. Amanjyot Singh Gulati, the Applicant had filed an application bearing no IB-957/(PB)/2020 under Section 94 of IBC 2016 for initiation of IR Process against himself. That vide order dated 23.10.2020, this Adjudicating Authority had appointed Mr. Navneet Kumar Jain as the Resolution Professional (**hereinafter referred to as "RP/ Respondent No.4"**). The RP Mr. Navneet Kumar was directed to examine the Application No. IB-957/(PB)/2020 filed under Section 94 of IBC 2016 and make recommendation along with reasons in writing for acceptance or rejection of the said Application within the time stipulated under Section 99 of IBC, 2016.



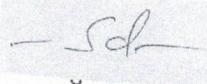
4. That during the hearing of the present IA, the Applicant has brought to our notice that inadvertently in para-6 of the order dated 23.10.2020, the name, Registration no. and e-mail details of another IP Mr. Vivek Kumar, having registration no. IBBI/IPA-002/IP-N00008/2016-17/10008 got mentioned due to typographical error.

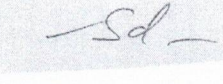
5. The aforesaid being a clerical mistake apparent on the face of record, we rectify the same in the order of 23.10.2020 by exercising our jurisdiction conferred under Section 420(2) of the Companies Act, 2013 read with Rule 154 of the NCLT Rules, 2016. **Accordingly, it is hereby clarified that Mr. Navneet Kumar Jain, having Registration No. IBBI/ IPA-03/IP00010/2016-17/1026 (e-mail: navneetic@yahoo.com) is the IRP appointed in IB-957/PB/2020.** The order dated 23.10.2020 in the (IB)957/(PB)/2020 shall stand modified to that extent.

6. **Accordingly, Mr. Navneet Kumar Jain IRP is hereby directed to file his report in terms of Section 99(7) of IBC, 2016 within ten days from the date of communication of this order.**

7. The Bench Officer is directed to communicate this order to Mr. Navneet Kumar Jain, IRP immediately.

8. **The IA-3687 of 2021 is accordingly Disposed of.**


(L. N. Gupta)
Member (T)


(Abni Ranjan Kumar Sinha)
Member (J)



 07/11/2021