

DIVISION BENCH
COURT - II

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/566(KB)2018

**CORAM:1.Shri Rohit Kapoor, Hon'ble Member(J)
2.Shri Harish Chander Suri, Hon'ble Member(T)**

Name of the Company	Rajendra Kumar Singhania VS Bhowanipur Engineering Pvt. Ltd
Under Section	IBC Under Sec 9

Counsel / Authorised Representative appeared through video conference:

ORDER

1. *Vide* order dated 05/01/2022, Mr. Sandip Mitra, an Insolvency Professional was appointed as IRP in the matter in replacement of Mr. Sushil Kumar Dokania, IRP, who was appointed earlier. Later, he informed *vide*, his letter dated 22/11/2021 that he had surrendered the profession, and is no longer working as an IRP.
2. The Registry has informed that an e-mail dated 13/01/2022 was received in CP (IB) No. 566(KB)2018 from Mr. Sandip Mitra, newly appointed IRP, informing that though he was appointed as IRP but he could not see the e-mail, being unwell as he is suffering from COVID-19. He has enclosed his medical report in support of his claim. He has prayed that he is handling one CIRP being CP(IB)/97(KB)2020 assigned to him and it would be very difficult for him to have any additional assignment due to his ill health. He has prayed that he should be relieved from this assignment and some other IRP may be appointed so that the work of CIRP in the matter of **Rajendra Kumar Singhania -vs- Bhowanipur Engineering Pvt. Ltd.** is not held up.
3. In view of the above circumstances, we hereby relieve him and appoint **Mr. Rajesh Kumar Agarwal, having Registration No. IBBI/IPA-001/IP-P01023/2017-2018/11722, e-mail i.d. rajesh521@yahoo.com** to act as IRP. He is directed to submit his consent in Form 2 and that no disciplinary proceedings are pending against him with the IBBI to act as IRP. He shall possess valid

Authorisation for Assignment also. A copy of this order shall be forwarded to the newly appointed IRP forthwith.

4. A copy of this order shall also be sent to IBBI for information.
5. List this matter for filing progress report on 01/03/2022.

Harish Chander Suri
Member (Technical)

Rohit Kapoor
Member (Judicial)

Signed on this 31st day of January, 2022.

hb.

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ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 05thJanuary, 2022, 10:30 A.M

Name of the Company	Rajendra Kumar Singhania VS Bhowanipur Engineering Pvt.Ltd
Under Section	IBC Under Sec 9

Counsel / Authorised Representative appeared through video conference:

For Operational Creditor : Ms. Subhagini Singh, Adv.

ORDER

1. Ld. Counsel for the Operational Creditor present.
2. In this matter Mr. Sushil Kumar Dokania was appointed as IRP. Since the date of initiation of CIRP, the IRP has not taken any steps so far. On 01/12/2021 notice was issued to the Operational Creditor and also to the IRP. Despite that, there was no appearance for the IRP. In view of the fact that IRP has not shown any interest in the matter and has rather sent a letter dated 22/11/2021, which is placed on record, stating that he has surrendered his Insolvency Professional and has not given further consent as Insolvency Professional, we hereby appoint Mr. Sandip Mitra, an Insolvency Professional, having Registration No. IBBI/IPA-001/IP-P00497/2017-18/10885 and e-mail i.d. sasoso@gmail.com to act as Interim Resolution Professional, who shall immediately take up the CIRP of the Corporate Debtor in this matter. He is directed to submit his consent in Form 2 and that no disciplinary proceedings are pending against him with the IBBI to act as IRP. He shall possess valid Authorisation for Assignment also. A copy of this order shall be forwarded to the newly appointed IRP forthwith.
3. The appointment of Mr. Sushil Kumar Dokania as IRP is hereby cancelled. A copy of this order shall also be sent to IBBI for information.

4. List this matter for filing progress report on 01/03/2022.

Harish Chander Suri
Member (Technical)

Rohit Kapoor
Member (Judicial)

hb.