

IN THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

C.P.(IB)- 4353/(MB)/2018

MA 3419/2019

CORAM: SHRI RAJESH SHARMA  
MEMBER (T)

SHRI BHASKARA PANTULA MOHAN  
MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL  
COMPANY LAW TRIBUNAL ON 16.12.2019

NAME OF THE PARTIES: Shriram City Union Finance Limited  
V/s  
Gmv Agencies Private Limited

Section 7 of Insolvency & Bankruptcy Code 2016.

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**ORDER**

**149. MA 3419/2019 In C.P. (IB) 4353/(MB)/2018**

MA 3419/2019 has been filed by the RP, seeking to recall the order of this Bench dated 18.9.2019, wherein the CIRP was initiated against the Respondent. Later, it has come to the notice of the applicant that on 29.9.2017, the Petition has already been admitted against the very same Corporate Debtor and the process has already commenced and liquidation order is awaited. In the circumstances, there cannot be two CIRP orders against the very same Corporate Debtor. In view of the same, the applicant ought to have brought to the knowledge of the Bench regarding the pendency of the CIRP process against the Corporate Debtor. The original applicant, i.e. Shriram City Union Finance Ltd have mislead this Bench and sought another order of CIRP against the very same Corporate Debtor. In view of the same, the application filed by the RP for recalling of the order is allowed.

Further the original applicant in this matter, i.e. Shriram City Union Finance Ltd. is awarded with the costs of Rs.1,00,000/- for misleading this Bench, which shall be paid in the account of Prime Minister's National Relief Fund within 15 days from today and produce the receipt of the payment in

this court on the next date of hearing or else the contempt proceedings will be initiated against the applicant, i.e. Shriram City Union Finance Ltd.

This order will come into effect only after the payment of the costs and producing the receipt with this Bench.

List the matter on 29.1.2020.

Sd/-

**RAJESH SHARMA**  
Member (Technical)

Sd/-

**BHASKARA PANTULA MOHAN**  
Member (Judicial)