

NATIONAL COMPANY LAW TRIBUNAL  
SINGLE BENCH  
CHENNAI

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ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 10.30 AM ON 01.06.2018

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER - JUDICIAL

APPLICATION NUMBER :  
PETITION NUMBER : CP/33/(IB)/2018  
NAME OF THE PETITIONER(S) : SAWHNEY TRADING COMPANY PVT LTD  
NAME OF THE RESPONDENT(S) : K.A EARTHMOVERS PVT LTD  
UNDER SECTION : 9 RULE 6

| S.No. | NAME (IN CAPITAL) | DESIGNATION            | SIGNATURE |
|-------|-------------------|------------------------|-----------|
|       |                   | REPRESENTATION BY WHOM |           |

B. Prasadiah  
FOR  
K. A. Earthmovers

Counsel for Respondent

Sawhney  
Petitioner

**ORDER**

Representative for the Operational Creditor present, on whose behalf the CIR process was initiated against the Corporate Debtor on 09.04.2018 and the IRP Mr. Avva Jaganadham Athindranath was appointed as IRP. However, the IRP had refused to carry on the assignment. Then on 24.04.2018, Mr. Ramakrishnan Sathyanarayanan was appointed as IRP, who had also refused to carry on the assignment. Therefore, till date, the CIRP was not in progress due to non-availability of IRP. Now, the Representative for the Operational Creditor has filed Form '2' by seeking consent of Mr. S. Vasudevan. The Form 2 is placed on record.

Mr. S. Vasudevan is appointed as IRP in the matter and he is directed to make compliance with the provisions of the IBC, 2016, as has been detailed under order dated 19.04.2018,

It is an admitted fact that during the period prior to the appointment of Mr. S. Vasudevan as IRP, there has been no progress in the CIRP. In the circumstances, the CIRP shall be deemed to have commenced afresh with effect from the date of this order.

The Representative for the Operational Creditor is directed to take the certified copy of this order and send to the IRP for the purpose of making public announcement and performance of his duties, as per Section 20 of the IBC, 2016. It is also placed on record that the Counsel for the Corporate Debtor is present during the hearing. He has not raised any objection to the appointment of the IRP.

  
**(CH. MOHD SHARIEF TARIQ)**  
**MEMBER (JUDICIAL)**