

**NATIONAL COMPANY LAW TRIBUNAL
JAIPUR BENCH**
(through web-based video conferencing platform)

Item No. 207
IA No. 194/JPR/2022
IA No. 475/JPR/2022
IA No. 476/JPR/2022
IA No. 512/JPR/2022
CP No. (IB)- 146/7/JPR/2020
Under Section 7 of IBC, 2016

In the matter of:

Shakuntala Joshi & Ors.

...Financial Creditor/Applicant

Versus

M/s Hyper Techno Buildmart Pvt. Ltd.

...Corporate Debtor/Respondent

**Coram: HON'BLE MR. DEEP CHANDRA JOSHI, JUDICIAL MEMBER
HON'BLE MR. PRASANTA KUMAR MOHANTY, TECHNICAL MEMBER**

Present Through Video Conferencing: -

For the Applicant

: Abhishek Devgan, Adv.
Rishabh Chand Lodha, RP

ORDER

IA No. 194/JPR/2022:

Heard Mr. Abhishek Devgan, Adv. for the RP. Mr. Rishabh Chand Lodha, RP is present in person. Respondent Nos. 1 & 2 were not appearing in the proceedings. On the previous date of hearing, RP was directed to adopt the mode of substituted service by publishing notice of hearing in two daily newspapers (one English and one Hindi) having wide circulation in the area. An affidavit in this regard has been filed. Despite publication of notice in newspapers, Respondent Nos. 1 & 2 are not interested to participate in the proceedings. To secure the presence of Respondent Nos. 1 & 2, issue bailable warrants for the

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amount of Rs. 2,000/- returnable on 29.11.2022. The bailable warrants shall be executed through concern Police Station.

Respondent No. 3 Mr. Mukesh Chechani, CA was duly served but he is not participated in the proceedings. Learned counsel for the Applicant is directed to serve a copy of the today's proceedings to the Respondent No. 3. List on 29.11.2022.

IA No. 475/JPR/2022:

This application has been filed by the RP under Regulation 13(2) and Regulation 17 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 read with Rule 11 of NCLT Rules, 2016 to place on record the Constitution of Committee of Creditors and list of creditors. This Report is taken on record, subject to just exceptions. IA No. 475/JPR/2022 is disposed of accordingly.

IA No. 476/JPR/2022:

This application has been filed by the RP for seeking appointment of Authorised Representative for Class of Creditors as Home Buyers. It is seen that there are total 8 home buyers in this matter. Hence, this application does not meet the threshold limit as required under the law. So, this application is rejected at this moment with a liberty to file appropriate application if the threshold limit meets under the law.

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IA No. 512/JPR/2022:

This is an application filed under Section 22(3)(a) read with Section 60(5) of the Insolvency and Bankruptcy Code, 2016 to communicate the decision of the members of Committee of Creditors to appoint IRP Mr. Rishabh Chand Lodha as the RP in this matter. It is seen that CoC by mandate of 80.91% votes passed a resolution that Mr. Rishabh Chand Lodha as RP in this matter. His appointment is confirmed as RP in this matter. IA No. 512/JPR/2022 stands disposed of accordingly.

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(Prasanta Kumar Mohanty)
Technical Member

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(Deep Chandra Joshi)
Judicial Member

October 19, 2022

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