

**IN THE NATIONAL COMPANY LAW TRIBUNAL**

**NEW DELHI BENCH-IV**

**I.A.(IBC)/4173/2023  
IN  
C.P.(IB)No.983/ND/2020**

**IN THE MATTER OF:**

**Raj Kumar Sahani**

**... Applicant**

**Versus**

**Mr. Ashish Singh  
Resolution Professional of  
M/s. Vibrant Buildwell Private Limited**

**... Respondent**

**IN THE MATTER OF:**

**M/s. Dilwara Leasing and Investment Limited**

**... Financial Creditor**

**Versus**

**M/s. Vibrant Buildwell Private Limited**

**... Corporate Debtor**

**CORAM:**

**SH. MANNI SANKARIAH SHANMUGA SUNDARAM,  
HON'BLE MEMBER (JUDICIAL)**

**DR. BINOD KUMAR SINHA,  
HON'BLE MEMBER (TECHNICAL)**

**Order Delivered on: 11.09.2023**

**ORDER**

**PER: SH. MANNI SANKARIAH SHANMUGA SUNDARAM, MEMBER (JUDICIAL)**

1. The instant interlocutory application is filed on behalf of Mr. Raj Kumar Sahani, ('applicant') who is the ex-director and shareholder of M/s. Vibrant Buildwell Private Limited ('Corporate Debtor') under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 ('Code') seeking the following prayer(s):-
  - i) Reject the Resolution Plan of M/s. Bishwanath Traders and Investment Limited ('BTIL') as approved by the CoC with 100% votes and submitted by the Resolution Professional before this Hon'ble Tribunal; and/or



- ii) Pass any other orders as this Hon'ble Adjudicating Authority may deem fit and proper in the facts and circumstances of the present case.
2. Heard the Learned Counsel for the Applicant. Perused the Records. Prima facie, the Present Application is maintainable. Hence, issue Notice to the Respondents i.e., (i) Mr. Ashish Singh, Resolution Professional of M/s. Vibrant Buildwell Private Limited ('Respondent No.1'), (ii) Committee of Creditors of Vibrant Buildwell Private Limited ('Respondent No.2') and (iii) M/s. Bishwanath Traders and Investment Limited ('Respondent No.3').
3. The Applicant is directed to serve the notice of the present application to the Respondents along with the present Interlocutory Application through email as well as by speed post within a period of 3 (three) days from pronouncement of this order. The Applicant is further directed to file affidavit of service along with tracking report.
4. A period of one (1) week is granted to the Respondents for filing reply with advance service to the applicant from the date of receipt of copy of the notice and one week for filing rejoinder, if any, thereto from the date of receipt of copy of reply is granted to the Applicant.

**List the case on 04.10.2023**

**Sd/-**

**(DR.BINOD KUMAR SINHA)  
MEMBER (T)**

**Sd/-**

**(MANNI SANKARIAH SHANMUGA SUNDARAM)  
MEMBER (J)**