

DIVISION BENCH

ITEM NO.110

NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ

IA No.487/2025 IN CP (IB) No.143/ALD/2024

CORAM:

1. SH. PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)
2. SH. ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)

Date of Order: 8th August, 2025

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	BAKLIWAL VYAPAAR PRIVATE LIMITED V/S M/S SIBRI TRADERS PRIVATE LIMITED
UNDER SECTION	7 IBC (IN CIRP)

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Mukesh Singh Bhaduarua, PCMA

: For the CoC

ORDER

IA No.487/2025

1. This application has been filed *interalia* with the following prayers :-
 - I. To pass orders appointing Mr. Vimal Kumar having Registration number IBBI/IPA-002/IP-N00995/2020-2021/13236 as the Resolution Professional based upon the resolution passed by the COC with the 100 percent vote share in the Committee and/or;
 - II. To pass any other order(s)/direction(s) as deemed fit by this Hon'ble Adjudicating Authority.
2. Ld. Authorized Representative for the Applicant submits that earlier, Mr. Sumit Shukla was appointed as RP at the time of the admission of the matter, which has been filed by the Financial Creditor U/s 7 of the Code. Now, the sole member of the CoC namely Bakliwal Vyapaar Private Limited, in its meeting held on 04.07.2025 *vide* agenda item no.7 has resolved to appoint Mr. Vimal Kumar having Registration No.IBBI/IPA-002/IP-N00995/2020-2021/13236, whose AFA is valid till 31.12.2025, as the RP with respect to the Corporate Debtor. The Resolution passed *vide* agenda item no.7 at page no.17-18, is as under :-

-Sd-

-Sd-



RESOLVED THAT in accordance with the provisions u/s 22(2) of the IBBI (CIRP) Regulations, 2016, the Committee of Creditors Sibri Traders Private Limited, be and is hereby appoint Mr. Vimal Kumar having Registration number IBBI/IPA-002/IP-N00995/2020-2021/13236 and having AFA validity till 31.12.2025, as the Resolution Professional of Sibri Traders Private Limited whereas the Committee shall take steps (at its own cost) for filing of appropriate application before the Adjudicating Authority

3. He also further submits that a Resolution has also been passed for payment of the CIRP cost to the extent of Rs.122,200 as mentioned at page no.18. The relevant para of which, is also reproduced hereunder :-

RESOLVED THAT the Committee of creditors of the Sibri Traders Private Limited be and is hereby ratify / approve a sum of Rs.122,200 all inclusive, which have been incurred by the IRP whereas such expenses shall form the part of the CIRP Cost.

4. This application has been filed U/s 22(3)(b) of the Code, which entitles the appointment of the RP in accordance with the Resolution passed in the meeting of the CoC. The provisions of Section 22(3)(b) of the Code reads as under:-

Section 22

“(2) The committee of creditors, may, in the first meeting, by a majority vote of not less than ¹[sixty-six] per cent. of the voting share of the financial creditors, either resolve to appoint the interim resolution professional as a resolution professional or to replace the interim resolution professional by another resolution professional.

(3) Where the committee of creditors resolves under sub-section (2)—

(b) to replace the interim resolution professional, it shall file an application before the Adjudicating Authority for the appointment of the proposed resolution professional [along with a written consent from the proposed resolution professional in the specified form].”

5. In view of the averments made in the application as well as the submissions made by the Ld. Authorized Representative for the Applicant/ CoC, Mr. Vimal Kumar, bearing Registration No.IBBI/IPA-002/IP-N00995/2020-2021/13236 is appointed as RP in terms of the Resolution. The CIRP cost as is required to be paid to the erstwhile RP, would be paid expeditiously, but not later than three weeks from the date of receipt of invoices from the erstwhile IRP making the claim for CIRP cost.

-Sd-

-Sd-



6. The verification of the said RP has been carried out by the Law Research Associate of this Tribunal, Mr. Sarim Husain, and it is found that there is no proceeding pending against the RP and upon verification from the website of IBBI, it is found that the RP holds valid authorization till 31.12.2025.
7. With this, the IA No.487/2025 is allowed and stands disposed off accordingly.
8. It is expected that the RP will take all possible steps and to ensure that the matter would be expedited to complete the CIRP as per the timeline under the Code.
9. The matter be put up on the date already fixed i.e. on 22nd September, 2025.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

8th August, 2025

Kavya Prakash Srivastava
(Stenographer)