

**IN THE NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH, PRAYAGRAJ**

CP (IB) NO.268/ALD/2018

In the matter of

An application under Section 9 of the Insolvency and Bankruptcy Code, 2016 read with Rule 6 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016)

In the matter of:

Jai Narayan

Aged about 60 years

Son of Late Sh. Bhaiya Lal

Residence of: Ahirdaypur Tisja,

Vakuntpur, Kanpur Nagar, U.P.

.....Operational Creditor/Petitioner

Versus

M/. Juggilal Kamapat Jute Mills Company Ltd.

(now Geo Jute Limited)

Through its Director

84/49, Zarib Chouki, Kalpi Road,

Kanpur, Uttar Pradesh-208012

.....Corporate Debtor/Respondent

Order pronounced on 30th January, 2024

Coram:

Mr. Praveen Gupta. : Member (Judicial)

Mr. Ashish Verma : Member (Technical)

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Appearances:

Sh. Sh. Ankit Kohli alongwith : For the Operational Creditor
Sh. Sagar Mehrotra, Adv.

Sh. Somesh Khare, Adv. : For the Corporate Debtor

ORDER

1. This matter filed U/s 9 of the Code, was reserved on 20th December, 2023 for pronouncement.
2. There was another C.P. (IB) No.280/ALD/2018 titled as Devi Prasad v/s M/S Juggilal Kamlapat Jute Mills Co. Ltd. (now Geo Jute Ltd.) which was also reserved.
3. The judgement in the case of C.P. (IB) No.280/ALD/2018 Devi Prasad v/s M/S Juggilal Kamlapat Jute Mills Co. Ltd. was pronounced on 19th January, 2023, whereby the petition filed U/s 9 of the Code was admitted and CIRP was initiated against the Corporate Debtor.
4. Since, the present C.P. (IB) No.268/ALD/2018 namely, Jai Narayan v/s M/S Juggilal Kamlapat Jute Mills Co. Ltd. (now Geo Jute Ltd.) is also against the same very Corporate Debtor in which the CIRP has already been initiated vide order dated 19th January, 2023, therefore the present company petition

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has become infructuous. However, the Petitioner/ Applicant would be at liberty to lodge his claim before the IRP/ RP in accordance with law.

5. The Petitioner/ Applicant will also be entitled to revive the present company petition, if for any reasons, the CIRP initiated against the Corporate Debtor by virtue of our order dated 19th January, 2023 filed in the aforesaid matter of Devi Prasad does not continue or survive.
6. Ordered accordingly.

-Sd-

(Ashish Verma)
Member (Technical)

-Sd-

(Praveen Gupta)
Member (Judicial)

Date: 30th January, 2024

Avaneesh Kumar Singh
(Stenographer)