

**NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI BENCH - II**

**(IB)-956(ND)2019**

**IN THE MATTER OF:**

**SBS Logistics Singapore Pte Ltd.**

**61, UBI Avenue**

**#05-9/10, UB Point**

**Singapore- 408491**

**...Financial Creditor**

**VERSUS**

**SBS Transpole Logistics Pvt. Ltd.**

**Registered office:**

**A-173, 1<sup>st</sup> Floor, Road No.4 Street No.10**

**Mahipalpur Extn, New Delhi 110037**

**...Corporate Debtor**

**Section: 7 of IBC, 2016**

**Order Delivered on : 04.09.2019**

**Quorum:**

**SMT. INA MALHOTRA, HON'BLE MEMBER (J)**

**SHRI L. N. GUPTA, HON'BLE MEMBER (T)**

**PRESENT:**

For the Petitioner : Mr. Rana Mukherjee, Sr. Advocate,  
Mr. Guatam Narayan, Ms. Asmita  
Singh, Advocates

For the Respondent : Mr. U.K. Chaudhary, Sr. Advocate,  
Mr. Mansumyer Singh, Ms. Anu  
Sura, Mr. Anant Gupta, Advocates

Page | 1

**ORDER**


**PER SHRI L. N. GUPTA, MEMBER (T)**

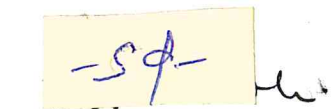
The present petition has become infructuous as the CIR Process against the Corporate Debtor has already been initiated in Petition No. IB-1373(ND)2019 in the matter of M/s Advance Cargo Movers Vs SBS Transpole Logistics Pvt. Ltd. vide Order dated 04.09.2019 of this Bench. In view of the same, the Applicant herein would be at liberty to file its claim before the IRP appointed in the aforesaid case.

It may be mentioned that Ms. Asmita Singh, Ld. Counsel for the Applicant wished to file an application as intervener in IB-1373(ND)2019. The same was declined as no two proceedings in respect of the same prayer can be entertained by the Courts. Arguments in her case against the same Corporate Debtor had been heard and the Petition was reserved for Orders. Since, the Order of admission of CIR against the Corporate Debtor has been admitted today in IB-1373(ND)2019, the requirement of pronouncing any order in the present Petition has been rendered infructuous. However, her prayer for appointment of IRP as suggested in her petition was taken note of. Accordingly, IRP has been appointed in the Petition No. IB-1373(ND)2019.

In case the CIR Process in the IB-1373/ND/2019 which stands admitted, is terminated, the Applicant/Financial Creditor will be at liberty to seek revival of this Petition.

The Petition is disposed off accordingly. The File be consigned to Record Room.

  
**(L. N. Gupta)**  
**Member (T)**

  
**(Ina Malhotra)**  
**Member (J)**