



**IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI (COURT NO. III)
IB-66(ND)/2021**

**(Under Section 9 of the Insolvency and Bankruptcy
Code, 2016)**

IN THE MATTER :-

M/s. BASF India Ltd.

Registered office at: The Capital, 'A' Wing, 1204-C,
12th Floor, Plot No. C-70, 'G' Block,
Bandra-Kurla Complex,
Sandra (East) Mumbai-400051

.... Applicant/Operational Creditor

Versus

M/s. Meghaarika International Pvt Ltd.

Registered office at: 703, 7th Floor, DLF Tower- B,
District Centre, Jasola,
New Delhi-110044

.... Respondent/Corporate Debtor

Pronounced on:25.01.2023

Coram:-

Shri. Bachu Venkat Balaram Das, Member (Judicial)

Dr. Binod Kumar Sinha, Member (Technical)

Parties / Counsels present

For the Applicant: P. Nagesh, Sr. Advocate

For the Respondent: Suhail Dutt, Sr. Advocate



ORDER

Per: Bachu Venkat Balaram Das, Member (Judicial)

This order shall dispose of (IB)-66/ (ND)/2021.

The necessity of going into the merit of the claim made by the petitioner in above mentioned petition is obviated because in respect of the same Corporate Debtor we have admitted another petition i.e. IB-65/(ND)/2021. Vide order dated 25.01.2023, the said petition has been admitted and CIRP has been initiated. Therefore, Corporate Insolvency Resolution Process cannot be initiated against a Corporate Debtor that is undergoing a corporate insolvency resolution process. However, needless to add, the Petitioner would be entitled to file its claim before the Insolvency Professional, namely, Mr. Shaikh Nafis Anjum (Email Id – sn.anjum123@gmail.com), Reg. No: IBBI/IPA-003/IP-N00211/2018-2019/12363 in accordance with law which shall be duly considered.

The registry is directed to communicate a copy of the order to the Interim Resolution Professional, Operational Creditors and the Corporate Debtor immediately.

The above-mentioned petition is disposed of in the above terms.

Sd/-
Dr. Binod Kumar Sinha
Member (Technical)

Sd/-
Bachu Venkat Balaram Das
Member (Judicial)