

Item No. 18

CORAM:

ORDER SHEET OF THE HEARING ON 13.10.2023

Section 60(5) & 7 of the Insolvency and Bankruptcy Code, 2016

ORDER

IA 912/2022

- 1) None present for the Applicant, when the matter is called out.
- 2) The present Interlocutory Application has been filed by Applicants, Mr. Indermal Ramani and Mr. Syed Aafaq Khurram, who are proprietor of A.K. Associates and Ex-Chief Financial officer of Creditor of the Corporate Debtor respectively, seeking contempt proceedings against the Resolution Professional of the Corporate Debtor, Mr. Jitendra Kumar Rambaran Yadav, having Registration No. IBBI/IPA-003/IP-00022/2017-18/10169.

- 3) However, this Bench feels that the complaint pertains to the conduct of the Resolution Professional, which should be investigated by the Insolvency and Bankruptcy Board of India, if there is any substance.
- 4) Accordingly, this matter is referred to Insolvency and Bankruptcy Board of India for looking into the conduct of the Resolution Professional. Insolvency and Bankruptcy Board of India may take appropriate action against the Resolution Professional of the Corporate Debtor, Dilip Chhabria Design Pvt. Ltd.
- 5) Copy of this Application along with the Order of this Bench be forwarded to the Insolvency and Bankruptcy Board of India.
- 6) With the aforesaid observation and direction, the Interlocutory Application bearing IA No. 912 of 2022, is disposed of.

IA 1558/2022

- 1) Mr. Rushikesh S. Kakane, Ld. Counsel for the Applicant is present.
- 2) The present Interlocutory Application has been filed by the Applicant, **Exclusive Motors Private Limited**, seeking direction against the Resolution Professional of the Corporate Debtor for admission of their claim.
- 3) Subsequently, the Liquidation order has been passed against the Corporate Debtor. In that view of the matter, the present Interlocutory Application bearing IA No. 1558 of 2022, becomes infructuous.
- 4) However, Applicant is at liberty to lodge their claim before the Liquidator of the Corporate Debtor and Liquidator shall accept the claim of the Applicant on merit and shall pass a reasoned order.

5) With the aforesaid observation, the Interlocutory Application bearing IA No. 1558 of 2022, disposed of as having become infructuous.

6) Registry is directed to list the main Company Petition as and when the Interlocutory Application/s, if any, filed by the Parties are listed on Board.

Sd/-

**PRABHAT KUMAR
MEMBER (TECHNICAL)**

Sd/-

**JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)**

Vedant Kedare