

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-102

IB-1794/ND/2019
New IA/2450/2022

IN THE MATTER OF:

Mr. Idemitus Lube India Pvt. Ltd.

Vs.

M/S. Nath Motors Pvt. Ltd.

....Applicant

.....Respondent

SECTION

U/s 9 IBC

Order delivered on 27.05.2022

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI HEMANT KUMAR SARANGI,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP/Applicant : Dhananjaya Sud, Aditya Gauri, Amar Vivek and
Chaitanya Bansal, Advs.

For the Respondent :

ORDER

IA/2450/2022:-

By filing this application, the Applicant has prayed for rectify/modify order dated 24.05.2022 passed by this Bench in CA/605/ND/2020.

Heard the Ld. Counsel appearing for the Applicant and perused the averments made in the application. Ld. Counsel appearing for the Applicant submits that the Applicant was Resolution Professional of the Corporate Debtor during the CIRP and also submitted his written consent to act, as a Liquidator, placed at Pg. 75 of the paper book in this application. He further submitted that the order dated 24.05.2022 shows that one Mr. Pankaj Khetan, has withdrawn his consent to act, as a Liquidator, in fact, Mr. Anil Goel was a

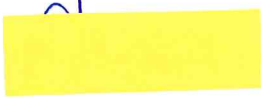


Resolution Professional of the Corporate Debtor and by the said order, he was relieved from the present assignment and new IP, is Ms. Rekha Sharma was appointed, as a Liquidator under Section 34(1)(c) of the Code.

In terms of the submissions, we perused the averments made in the application as well as the order dated 24.05.2022. It appears that due to typographical error, Mr. Anil Goel, the Resolution Professional of the Corporate Debtor was relieved from the assignment and new Liquidator, Mr. Rekha Sharma was appointed. Since it is a typographical error and in terms of Section 34(1), the Resolution Professional, as appointed for the Corporate Debtor Chapter- II shall subject to submission of the written consent to the Adjudicating Authority in specified form, act, as a Liquidator for the purpose of liquidation unless replace by the Adjudicating Authority under Section 4 of the IBC.

Therefore, we hereby rectify/modify the typographical error and in place of Ms. Rekha Sharma, Mr. Anil Goel, the Resolution Professional of the Corporate Debtor is appointed, as a Liquidator in terms of Section 34(1) of the IBC. We also hereby omit the Paragraphs a, b and c from the order dated 24.05.2022. Registry is directed to upload the modified order on the website.

With this, the IA stands disposed of.


(HEMANT KUMAR SARANGI)
MEMBER (T)


(ABNI RANJAN KUMAR SINHA)
MEMBER (J)