



**IN THE NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI COURT – VI**

**ITEM NO. 2  
CP(IB) 148/PB/2022**

**IN THE MATTER OF:**

**M/s. HD Wire Pvt. Ltd. V/s. M/s. CMI Ltd**

**Order under Section 9 of Insolvency and Bankruptcy Code, 2016**

**Order delivered on 18.08.2023**

**CORAM:**

**SHRI BACHU VENKAT BALARAM DAS,  
HON'BLE MEMBER (JUDICIAL)  
SHRI RAHUL BHATNAGAR,  
HON'BLE MEMBER (TECHNICAL)**

**ORDER**

Order pronounced in open Court vide separate sheets.

CP(IB) 148/PB/2022 stands dismissed.

**SD/-  
(Rahul Bhatnagar)  
Member Technical**

**SD/-  
(Bachu Venkat Balaram Das)  
Member Judicial**



**IN THE NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI  
BENCH-VI**

**IB-148/(PB)/2022**

*(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:**

**HD Wire Private Limited**

Registered Office at:

17-18-19-20 Sanwar Road

Sector E Industrial Area Indore

MP - 452015

**...Applicant/Operational Creditor**

**VERSUS**

**M/s. CMI Limited**

Registered Office at:

PD-II, Jhilmil Metro Station,

Jhilmil Industrial Area,

Delhi-110095

**...Respondent/Corporate Debtor**

**Coram:**

**Shri. Bachu Venkat Balaram Das, Hon'ble Member (Judicial)**

**Shri. Rahul Bhatnagar, Hon'ble Member (Technical)**



**Counsel for OC:** Mr. V.N. Dubey, Adv  
**Counsel for CD:** Mr. Sunil Fernandes, Ms.  
Priyadarshini Dewan, Ms. Niharika  
Tanwar and Ms. Diksha Dadu, Adv.

**ORDER**

**PER: RAHUL BHATNAGAR, MEMBER (TECHNICAL)**

**Date 18.08.2023**

1. 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 NCLT, New Delhi Bench V has admitted another petition namely Canara Bank. v. M/S CMI Limited., [IB-820/PB/2022]. Vide order dated 28.07.2023, 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 already undergoing a corporate insolvency resolution process. However, needless to add, that the petitioners would be entitled to file their claim before the Insolvency Professional, namely Mr. Deepak Maini, (Email – Deepak.maini@insolvencyservices.in) having Registration Number IBBI/IPA-001/IP-P00676/2017-



18/11149., in accordance with law which shall be duly considered.

2. The registry is directed to communicate a copy of the order to the Interim Resolution Professional, Operational Creditors and the Corporate Debtor immediately.
3. The above-mentioned petition is disposed off in the above terms.

**SD/-**  
**(RAHUL BHATNAGAR)**  
**MEMBER (TECHNICAL)**

**SD/-**  
**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**