

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
COURT NO. IV, NEW DELHI**

Item No. 116

**CA.153,309/ND/2019 (IB)-893/ND/2018**

**Under Section: 9 of IBC.**

**In the matter of:**

M/s Vinayak Wire Products Pvt. Ltd.	.... <b>Applicant</b>
Vs.	
Abir Infrastructure Pvt Ltd.	.... <b>Respondent</b>

**Order delivered on 01.10.2019**

**CORAM**

**DR. DEEPTI MUKESH,  
HON'BLE MEMBER (J)**

**SHRI HEMANT KUMAR SARANGI,  
HON'BLE MEMBER (T)**

For the Applicant	: Mr. Pallav Mongia, Adv. Mr. Davneesh, Adv. Mr. Sagar Juneja, Adv. for State Bank of India Mr. Ramesh Babu, Adv.
For the Respondent	: Mr. Wishvesh Ranjan, Adv.

**ORDER**

CA No. 309/ND/2019 : Proxy-Counsel Mr. Vishwesh Ranjan undertakes to file reply within three days failing which heavy cost will be put on the Resolution Professional for being inactive. As a last chance one week time is given to the RP. Learned counsel appearing for the State Bank of India Mr. Ramesh Babu assisted the Court by saying that IRP/RP has been handed over the documents and relevant papers of the Corporate Debtor only in end of the September by the OL Office. Hence the delay in process.

CA No. 309/ND/2019 is listed for 14.10.2019.

CA No. 153/ND/2019 is filed by one of the COC Members State Bank of India for replacement of present IRP Mr. Alok Kumar Aggarwal by new Resolution Professional Mr. B. Nagabhushan. Learned counsel further states that in the 3<sup>rd</sup> COC Meeting held on 16.04.2019 and at Agenda No. H the appointment of Shri B. Nagabhushan as Resolution Professional was considered by COC. The results of e-voting in additional document by COC Members is also annexed with the application along with the minutes of said COC. Learned counsel further states that the said resolution was passed with 73 per cent voting share of COC members, hence, complying the requirement of the code. Considering the submission made by the learned counsel and documents placed on record, application is allowed in terms of prayer 'A', approving and appointing of Mr. B. Nagabhushan as Resolution Professional of the Corporate Debtor.

CA No. 153/ND/2019 is disposed of in terms of the above order.

**Sd/-**  
**(HEMANT KUMAR SARANGI)**  
**MEMBER (TECHNICAL)**

Mukesh

**Sd/-**  
**(DR. DEEPTI MUKESH)**  
**MEMBER (JUDICIAL)**