

Recd. on
24/01/20

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

Item No.-110

IB -1771(ND)/2018

C.A No. 366/CIII/ND/2020

IN THE MATTER OF:

Ms. Priyanshi Arora

Vs.

M/s. Dream Procon Pvt. Ltd.

....APPLICANT

....RESPONDENT

SECTION

U/s 7 IBC Code, 2016

Order delivered on 16.01.2020

CORAM:

CH. MOHD. SHARIEF TARIQ

MEMBER (JUDICIAL)

MS. SUMITA PURKAYASTHA

MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Sahil Sethi, Advocate

For the Respondent

:

For the Intervener

:

ORDER

CA No.366/C-III/ND/2020

IN

IB-1771(ND)/2018

The first CA is filed by the CoC seeking the order for the appointment of Mr. Nalesh Sharma as the Resolution Professional replacing the IRP Mr. Manish Gupta. The Application is supported by the resolution of the CoC that came to be passed in 2nd meeting of the CoC held on 19.12.2019. The remuneration fixed is Rs.3.00 lakhs per month from the date of appointment till the date he continues to hold the charge of the Resolution Professional. An amount of Rs.1.50 lakhs per month is payable to Witworth Insolvency Professional Private Limited for providing infrastructure support to the Resolution Professional. The resolution has been passed by the CoC with 95% voting shares. Therefore, Mr. Nalesh Sharma is hereby appointed



as the Resolution Professional on the terms as set out in the resolution passed by the CoC. The IRP is directed to hand over record of the Corporate Debtor to the Resolution Professional within week's time after receiving the copy of this order. Accordingly, the CA stands disposed of.

CA No.933/C-III/ND/2019

IN

IB-1771(ND)/2018

In the second CA, prayer is made to appoint Mr.S.Prabhakar, Insolvency Professional as authorized representative of class of creditors of homebuyers in terms of Section 21(6A)(b) of the I&B Code, 2016 read with Regulation 16A(2) of the Insolvency Regulations, 2016. Counsel for the Resolution Professional has submitted that there are 250 claimants being the homebuyers and at the time of filing the claims, majority of them viz. 154 in numbers constitutes 65.57% of the voting share of the home buyers have given preference for appointment of Mr. S.Prabhakar as AR. Therefore, Mr. S.Prabhakar, Resolution Professional, whose consent has been obtained on 17.10.2019, is hereby appointed as Authorized Representative for the homebuyers with the direction to to the RP to facilitate the Authorized Representative at the time of voting in the CoC as per the instructions that may be being given by the home buyers for the purpose of voting. Accordingly, the CA stands disposed of.

-sd-
(SUMITA PURKAYASTHA)
MEMBER (TECHNICAL)



-sd-
(CH. MOHD. SHARIEF TARIQ)
MEMBER (JUDICIAL)

U.D. Mehta

23.1.2020
Deputy Registrar
National Company Law Tribunal
CGO Complex, New Delhi-110008