

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

Item 26

**IA Nos. 808/2023,
809/2023, 871/2023
in
CP(IB) No. 420/Chd/Pb/2019
(Admitted Matter)**

**Under Section 7 & 22(3), IBC 2016
& 13 & 17 IBBI Regulations, 2016**

In the matter of:-

Indian Overseas BankPetitioner/Financial Creditor

Vs.

Shivam Continental Pvt. Ltd.Respondent/Corporate Debtor

Present :

Mr. Vishav Bharti Gupta, Advocate for the applicant in IA No. 808/2023 & 809/2023.

Mr. Vishal Garg, Advocate for the applicant in IA No. 871/2023.

IA No. 808/2023

The present application has been filed to place on record list of claims in accordance with Regulation 13 of IBBI Regulations, 2016. The same is taken on record subject to just exceptions. Thus, IA No. 808/2023 is disposed of accordingly.

IA No. 809/2023

The present application has been filed to place on record the report of constitution of CoC in accordance with Regulation 17 of IBBI Regulations, 2016. The same is taken on record subject to just exceptions. Thus, IA No. 809/2023 is disposed of accordingly.

IA No. 871/2023

The present application has been filed under Section 22(3) (B) of the Code on behalf of CoC through Indian Overseas Bank seeking replacement of IRP Mrs. Shalu Khanna with Mr. Rajiv Khurana having Registration No. IBBI/PA-001/IP-P00126/2017-18/10268 as the Resolution Professional. The said appointment has been approved by CoC in its 1st meeting held on 23.03.2023 with 100% voting share. It is submitted by Mr. Vishav Bharti Gupta, counsel for the RP, Mrs. Shalu Khanna, IRP that some CIRP charges and costs are pending in the matter. Learned counsel for CoC is directed to convey our direction to the CoC to clear the said fee/cost or expenses, to the extent payable to the said RP at the earliest.

In view of the abovementioned circumstances, IA No. 871/2023 is allowed and Mr. Rajiv Khurana is hereby appointed as Resolution Professional in the matter of M/s Shivam Continental Private Limited and subject to verification of his antecedents from the IBBI portal by the Registry. The Registry is directed to verify the antecedents of the said RP and place the said report on the file within one week. IA No. 871/2023 is disposed of accordingly.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

Sd/-
(Harnam Singh Thakur)
Member (Judicial)

April 13, 2023
VN