

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

Item 22

**IA No. 622/23
In
CP(IB) No. 147/Chd/HP/2019
(Admitted)**

Under Section 7, & 60(5), IBC 2016

In the matter of:-

Syndicate Bank

...Petitioner/ Financial Creditor

Vs.

Omid Engineering Pvt. Ltd.

...Respondent/ Corporate Debtor

Present: Mr. Viren Sharma, Advocate for the applicant in IA No. 622/2023.
Mr. Arun Kumar, Advocate for the respondent in IA No. 622/2023.

IA No. 622/2023

Reply has been filed on behalf of respondent vide Diary No. 0548/1 dated 10.05.2023. The same is taken on record. This application has been filed 22(3) (b) of IBC, 2016, with a prayer to appoint Sh. Sandeep Goel, as Resolution Professional of the corporate debtor by replacing Ms. Reshma Mittal-IRP.

In response to the notice issued, the outgoing RP-Ms. Reshma Mittal has submitted that an order for the release of outstanding fees or expenses as an Interim Resolution Professional in the present case be passed.

On perusal of the records, it is seen that the CoC in its second meeting dated 21.01.2023, has discussed the issue of payment of costs as well as fees for Resolution Professional in Agenda No. 5 (i), 5(ii), 5(iii) and has passed an appropriate resolution. The cost relating to public announcement amounting to Rs. 12,180/- incurred by the

IRP, fees of the IRP at Rs. 1,10,000/- plus 19,800 (GST @ 18%), support team fee at Rs. 75,000/- plus 13,500 (GST @ 18%) and e-voting charges at Rs. 5,000/- plus 900 (GST @ 18%) have been approved by 100% voting share by the members of the CoC.

It is noted that the CoC in its 2nd meeting dated 21.01.2023, has approved the appointment of Sh. Sandeep Goel, as RP by Agenda No. 7, with 100% voting share in favour of the proposed Resolution Professional.

In view of the above, Mr. Sandeep Goel, bearing IBBI/IPA-003/IP-N00073/2017-18/10583, is appointed as the new RP of the corporate debtor, i.e., Omid Engineering Pvt. Ltd. by replacing Ms. Reshma Mittal. The consent of the new proposed RP in Form AA along with the AFA and registration certificate, is placed on record as Annexure A-4 of the application. The appointment of a new RP, i.e. Mr. Sandeep Goel, would be subject to verification of antecedents by the Registry through the link as provided by the IBBI within one week, and IRP is directed to hand over the record to the new RP within two days thereafter. The new RP is also directed to make the necessary payment towards fees and other expenses incurred by the IRP as approved by the CoC within 15 days of this order. In the result, IA No. 622/2023 is allowed and disposed of accordingly.

-sd-
(Subrata Kumar Dash)
Member (Technical)

May 16, 2023
SM

-sd-
(Harnam Singh Thakur)
Member (Judicial)