



**IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH**  
***(through Hybrid Mode)***  
**COURT-I**

Item No. 13

IA No. 2271/2024, IA(I.B.C)/2447(CH) 2024  
IA(I.B.C)/2531(CH) 2024, IA No. 2269/2024  
In  
CP (IB) No. 223/Chd/Pb/2023  
(Admitted)

**IN THE MATTER OF:**

R.R. Enterprises

...Petitioner

Vs.

Genex Polyfab Ltd.

...Respondent

**Under Section:** 9, 60(5), 21, 22(3)(b), IBC 2016

**Order delivered on 11.12.2024**

**CORAM:**

**SH. UMESH KUMAR SHUKLA**  
**HON'BLE MEMBER (T)**

**SH. HARNAM SINGH THAKUR**  
**HON'BLE MEMBER (J)**

**PRESENT:**

For the applicant	:	Mr. Vishal Mittal, Advocate
For the IRP	:	Mr. Ankush Thakur, Advocate Mr. Vishawjeet Gupta, IRP in-person

**ORDER**

This matter is taken up on special mentioning.

**IA No. 2271/2024**

The present application has been filed under Section 60(5) of the IBC, 2016 seeking specific directions to the Tehsildar but in the application no cause of action or any documentary evidence has been produced to show that the direction should be given to the Tehsildar. In these circumstances the present application is ***dismissed*** being not maintainable. At this stage, RP is at liberty to refile the same with better particulars.



#### **IA(I.B.C)/2447(CH) 2024**

The present application has been filed under Section 22(3)(b) of the Insolvency and Bankruptcy Code, 2016 seeking replacement of the IRP-Mr. Vishawjeet Gupta with Mr. Rajeev Sharma as RP. The proposed substitution has been approved by the CoC in its 1<sup>st</sup> meeting held on 23.10.2024 vide Agenda Item No.10 with 100% voting share of the sole financial creditor. Thus, IA No. 2447/2024 is ***allowed***. It is pointed out by Ld. counsel for the IRP that the fee for three months is still due. According to Ld. counsel for RP, the said fee has already been retified in the same meeting vide Agenda Item No. 9. It is noted from the balance-sheet placed on record of the year 2021-22, 2022-2023 that the name of the Wini Enterprises is not reflected in either of the balance-sheet. It was stated by the IRP that the loan of R.R. Enterprises has been assigned to the Wini Enterprises and no other operational and financial creditor including Genex Polyfab Ltd. Ludhiana have filed any claim. Keeping in view facts and circumstances, the newly appointed RP is directed to file the audited balance-sheet as on date of CIRP along with the other balance-sheets before that and also file proof of compliance of Regulation 6-A regarding individual notices served to each of the creditors. If they are not served, then newly appointed RP is directed to serve them through speed post and file the proof of the service within next one week. Thus, IA No. 2447/2024 is ***disposed of accordingly***.

#### **IA(I.B.C)/2531(CH) 2024**

RP is directed to file the audited balance-sheet as on date of CIRP along with the other balance-sheets before that and also file proof of compliance of Regulation 6-A regarding individual notices served to each of the creditors. If they are not served, then newly appointed RP is directed to serve them through speed post and file the proof of the service within next one week. List on 09.01.2025.



**IA No. 2269/2024**

This application has been filed to place on record the progress report for the period from 23.09.2024 to 08.10.2024. The same is taken on record subject to just exceptions. Thus, IA No. 2269/2024 is ***disposed of accordingly***.

Sd/-  
**(UMESH KUMAR SHUKLA)**  
**MEMBER (T)**

PBS

Sd/-  
**(HARNAM SINGH THAKUR)**  
**MEMBER (J)**