

**DIVISION BENCH**

**O-102**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

IA/1443(KB)2020  
In  
C.P. (IB)/184(KB)2018

**Present: 1. Hon'ble Member(J), Shri Rajasekhar V.K.  
2. Hon'ble Member(T), Shri Harish Chander Suri**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 07<sup>th</sup> JANUARY, 2021, 10:30 A.M**

Name of the Company	SANGITA FISCAL SERVICES PRIVATE LIMITED Vs. DUNCANS INDUSTRIES LIMITED		
Under Section	Rule 11 of NCLT, 2016		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

**Counsel/Pr.CS/Pr. CA appeared through Video Conferencing:**

For the Resolution Professional

Mr. Dipankar Das, Adv.  
Ms. Sanjana Nandi, Adv.  
Mr. Ram Ratan Modi (RP)

For the applicant

Mr. Sanwal Tibrewal, Adv.

Mr. Rajarshi Banerjee, Advocate for the Proposed Intervenor in  
I.A. (IB) No. 1443/KB/2025

**ORDER**

I.A./1443(KB)2020 is an application filed by IRC Natural Resources Private Limited for a direction to the RP to consider the resolution plan already submitted by the applicant.

It has been observed on the last occasion that the decision not to accept the plan was conveyed without waiting for the CoC's decision in the

matter and therefore, we adjourned the proceeding to enable the RP to take appropriate instruction in the matter from the CoC.

Mr. Dipankar Das, Ld. Counsel for the RP present. Mr. Ram Ratan Modi, the RP present in person. Mr. Sanwal Tibrewal, Ld. Counsel for the applicant present.

Mr. Dipankar Das, Ld. Counsel for the RP submits that the matter had been placed before the CoC in which the voting was as follows:-

- (a) The proposal was approved by 42.4%. while 43.4% rejected the proposal. Further 14% abstained from voting.

Mr. Dipankar Das, Ld. Counsel for the RP, however, submits that subsequent to the voting, the CoC has been reconstituted and the reconstituted CoC is scheduled to meet on 11.01.2021, at which meeting, the proposal will be taken up for consideration again. He therefore, seeks an adjournment to place on record the results of the meeting.

Considering the submission, the matter shall stand adjourned to 11.02.2021 with liberty to mention.

(Harish Chander Suri)  
Member (Technical)

(Rajasekhar V.K.)  
Member (Judicial)