

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, CHENNAI
(APPELLATE JURISDICTION)**

**Company Appeal (AT) (CH) (Insolvency)No. 12 of 2021
(Under section 61 of the Insolvency and Bankruptcy Code 2016)**

**((Arising out of Order dated 7.1.2021 in I.A.No.173 of 2019 filed in CP(IB)No.302/7/HDB/2018
by the Hon'ble National Company Law Tribunal, Hyderabad Bench)**

In the matter of

Assistant Provident Fund Commissioner,
D. O. Kurnool, Andhra Pradesh,
Rep. by its R.P.F.C. – II, Shri, Venkata Subbaiah Kommera,
S/O. K. Chainna Obulu, aged about 43 years,
Working as Regional Provident Fund Commissioner – II,
E.P.F. Organisation, District Office, Kurnool.

Appellants

V

1. VBC Industries,
Through TSN Raja, Resolution Professional,
M/s. VBC Industries Limited,
6-2913/194, III Floor, Progressive Towers,
Khairtabad, Hyderabad – 500 004

2. Committee Of Creditors
Through Resolution Professional
6-2913/194, III Floor, Progressive Towers,
Khairtabad, Hyderabad – 500 004

3. M/s. Kamini Metalliks Private Limited
Sy. No.372, Chandapur Village, Hatnoora Mandal,
Madak, Telangana – 502 296.

... Respondents

Present :

For Appellant : Dr. .Manoj Kumar, Advocate
For Respondent No. 1: Mr.TSN Raja, PCMA
For Respondent No. 2 : Mr. Somraj Choudhury, Advocate
For Respondent No. 3 : Mr. S. Ravi, Sr Advocate
Mr. Shabbeer Ahmed, Advocate

ORDER

(VIRTUAL MODE)

It is represented by Mr. Som Raj Choudhury, Learned Counsel appearing in Item No. 1 to 3 (Comp App (AT) (Ins) No. 41/2021, 59.2021 and 66/2021) that in the 'Cause Title' and 'Memo of Parties' the Second Respondent (Committee of Creditors) is incorrectly shown as 'Represented through 'Resolution Professional' and as such, the same requires amendment to be made by the 'Appellant's` side. Accordingly, the Learned Counsel for the 'Appellant' is directed to file an 'Amendment Application' seeking to amend the incorrect cause title wherein the Second Respondent in Comp App (AT)(CH)(Ins) No. 12/2021 has been wrongly arrayed as 'Committee of Creditors' through 'Resolution Professional'. The said application is to be filed by the 'Appellant's' side within one week from today after serving the copies of the application to the other side and the 'Office of the Registry' of course, through e-filing and through hard copy.

Mr. Shabbeer Ahmed, Learned Counsel appearing for the Third Respondent prays time to file Reply/Response/Counter and accordingly is permitted to file the same by 29.04.2021.

Mr. T. S . N. Raja, Learned Resolution Professional of First Respondent/M/s. VBC Industries Limited is required to furnish necessary particulars to the Learned Counsel of the 'Appellant' as to the proper person/correct person to whom the notice will have to be served well in advance of next date of Hearing.

The 'Office of the Registry' is directed to List the matter on 29.04.2021.

***[Justice Venugopal M]
Member (Judicial)***

***[Kanthi Narahari]
Member (Technical)***

19.4.2021
KM