

\$~CP-1 to 18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 381/2013**
BAJAJ ELECTRICALS LTD Petitioner
versus
ERA INFRA ENGINEERSING LTD Respondent
+ **CO.PET. 440/2013**
PEREGRINE GUARDING PVT LTD Petitioner
versus
ERAINFRA ENGINEERING LTD &ORS Respondent
+ **CO.PET. 239/2014**
BLUE STAR LIMITED Petitioner
versus
ERA INFRA ENGINEERING LIMITED Respondent
+ **CO.PET. 229/2015**
VERITAS STAINLESS CO. PRIVATE LIMITED..... Petitioner
versus
ERA INFRA ENGINEERING LIMITED Respondent
+ **CO.PET. 467/2015**
R.K. TIWARI Petitioner
versus
ERA INFRA ENGINEERING LTD Respondent
+ **CO.PET. 635/2015**
DHANLAXMI BANK LTD Petitioner
versus
ERA INFRA ENGINEERING LTD Respondent
+ **CO.PET. 686/2015**
STERLING AND WILSON PRIVATE LTD..... Petitioner
versus
ERA INFRA ENGINEERING LIMITED Respondent
+ **CO.PET. 714/2015**
RAJ KIRPAL LUMBERS LIMITED Petitioner
versus
ERA INFRA ENGINEERING LTD Respondent
+ **CO.PET. 918/2015**
ACC LIMITED Petitioner
versus
ERA INFRA ENGINEERING LIMITED Respondent

+	<u>CO.PET. 43/2016</u> SHRI BAJRANG ALLOYS LTD	 Petitioner
	versus	
	ERA INFRA ENGINEERING LIMITED	 Respondent
+	<u>CO.PET. 106/2016</u> EFKON INDIA PRIVATE LIMITED	 Petitioner
	versus	
	ERA INFRA ENGINEERING LTD.	 Respondent
+	<u>CO.PET. 147/2016</u> JINDAL STEEL & POWER LTD.	 Petitioner
	versus	
	ERA INFRA ENGINEERING LTD.	 Respondent
+	<u>CO.PET. 228/2016</u> TATA CAPITAL FINANCIAL SERVICES LTD.	 Petitioner
	versus	
	ERA INFRA ENGINEERING LTD.	 Respondent
+	<u>CO.PET. 347/2016</u> ALLCARGO LOGISTICS LIMITED	 Petitioner
	versus	
	ERA INFRA ENGINEERING LIMITED	 Respondent
+	<u>CO.PET. 578/2016</u> ADOR WELDING LTD	 Petitioner
	versus	
	ERA INFRA ENGINEERING LIMITED & ORS.....	Respondent
+	<u>CO.PET. 843/2016</u> IFCI FACTORS LTD	 Petitioner
	versus	
	ERA INFRA ENGINEERING LIMITED	 Respondent
+	<u>CO.PET. 888/2016</u> ASTHA STERLING CRANE PRIVATE LIMITED.....	Petitioner
	versus	
	ERA INFRA ENGINEERING LIMITED	 Respondent
+	<u>CO.PET. 992/2016</u> SICOM LIMITED	 Petitioner
	versus	
	ERA INFRA ENGINEERING LIMITED	 Respondent

Present: Mr.Atul Varma, Adv. for the petitioner in CP 381/2013.
Ms.Smita Kant and Ms.Nikeeta Mishra, Adv. for the petitioner in CP 239/2014.
Mr.Vivek Kishore, Adv. for the petitioner in CP 440/2013.
Mr.Harsh Agrawal, Adv. for the petitioner in CP 229/2015.
Mr.Manish Paliwal, Adv. for the petitioner in CP 43/2016.
Mr.Ankit Tiwari, Adv. for the petitioner in CP 635/2015.
Ms.Shreya Mehta, Adv. for the petitioner in CP 843/2016.
Mr.Pallav Pandey, Mr.Shubhanshu Gupta and Mrs.Sonali Jaitley, Adv. for the petitioner in CP 147/2016.
Mr.Sanjeev Kumar Tyagi, Adv. for the petitioner in CP 686/2015.
Mr.Direndra Singh, Adv. for the petitioner in CP 467/2015.
Mr.Satinder Singh, Mr.Robin Bansal and Mr.Gagandeep Singh, Adv. for the petitioner in CP 918/2015.
Mr.Ashim Sood, Adv. for the petitioner in CP 347/2016.
Mr.Anil K.Khaware, Ms.Azma Zaidi and Mr.Virendra Singh, Adv. for the petitioner in CP 714/2015.
Mr.Jawahar and Mr.Rohit Singh, Adv. for the petitioner in CP 578/2016.
Mr.Ankit Dwivedi, Adv. for the petitioner in CP 106/2016.
Mr.Mohnish Sharma, Adv. for the petitioner in CP 228/2016.
Mr.Prabhat Kr.Chaurasia, Adv. for the petitioner in CP 992/2016.
Mr.Sumit Purohit, Adv. for the respondent.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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25.05.2018

Learned counsel for the respondent has today handed over in Court an order dated 8.5.2018 passed by the NCLT admitting the petition and appointing an Interim Resolution Professional. Appropriate directions regarding moratorium under section 14 of the Insolvency and Bankruptcy Code, 2016 have also been passed.

No doubt these matters have been pending here since the year

2013/2014 and various attempts have been made to try and settle the matter. Some of the petitioners have also entered into a settlement with the respondents and have received a small component of the settled amount.

In my opinion, if I were to proceed in this matter there would be a conflict between the OL and the Interim Resolution Professional. To avoid such a situation, I dispose of these petitions. Liberty is granted to the parties to approach the Interim Resolution Professional with their claim. Needless to clarify that where the respondent company has not been able to honour their settlement the parties would be entitled to claim the full amount.

Liberty is granted to the petitioner to seek revival of the present winding up proceedings in the eventuality a need arises for adjudication by this court.

Petitions stand disposed of accordingly. All pending applications, if any, also stand disposed of.

JAYANT NATH, J

MAY 25, 2018

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