

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**COURT – IV**

**ITEM No. 7**  
**IA- 1252/ND/2021**  
**(IB)-2721(ND)2019**

**IN THE MATTER OF:**

M/s Straight Edge Contracts Pvt. Ltd. ... Applicant/Petitioner

Vs

M/s Three C Shelters Pvt. Ltd. ... Respondent

**Order under Section 9 of IBC.**

**Order delivered on 11.03.2021**

**Coram:**

**DR. DEEPTI MUKESH,**  
**HON'BLE MEMBER (JUDICIAL)**  
**MS. SUMITA PURKAYASTHA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Mr Sumant Batra, Ms. Niharika Sharma, Advs.  
For the Respondent :

**ORDER**

**IA-1252/ND/2021:**

This is an application filed by Greenopolis Welfare Association (Home Buyers Association) for replacement of IRP to RP. The present IRP present in person, objects to allowing of this application and seeks that the application be deferred for a week till he files objections. Mr. Batra states that application under Section 22(3) for replacement of IRP to RP or confirmation from IRP to RP is not subject to the judicial review, in view of the CoC passing the Resolution beyond threshold limit relying on the judgment of Hon'ble NCLAT in CoC of Leel Electricals Limited. Learned IRP raises the concern about the allegations raised against him as well as payment of his fees and expenses, who is at liberty to file appropriate application to raise grievances against the CoC. At this stage Mr. Batra, Learned Counsel for the Applicant undertakes that the issue apprehended by IRP will be taken care of by CoC and he has also made a statement that (IRP) can contact the counsel for RP is resolve the said

issues which will be taken up with CoC. The CoC shall take appropriate decision and resolve the issues of the present IRP.

The copy of the minutes of CoC and voting result are annexed. The Resolution is passed with 69% voting share of CoC. Hence, we allow this application, thereby confirm the appointment of Mr. Chandra Prakash as RP of the Corporate Debtor.

The application is **allowed and disposed of** in terms of above order.

**Sd/-**  
**SUMITA PURKAYASTHA**  
**MEMBER (TECHNICAL)**

**Sd/-**  
**DR. DEEPTI MUKESH**  
**MEMBER (JUDICIAL)**

UPASANA