



DIVISION BENCH  
COURT - I

O-208

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

TP/17(KB)2022  
IA(COMPANIES.ACT)/101(KB)2024,  
IA(COMPANIES.ACT)/133(KB)2024,  
IA(COMPANIES.ACT)/99(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 12<sup>TH</sup> JULY 2024**

IN THE MATTER OF	<b>AUROMA COKE LTD VS IMPEX FERRO TECH LTD</b>
UNDER SECTION	<b>SEC 433(E)/433(F) OF CA 1956</b>

**Appearances (via video conferencing/physically)**

Mr. Rahul Auddy, Adv. ] For the CoC  
Mr. Aditya Gooptu, Adv. ]

Ms. Pallavi Roy, Adv. ] For the RP

**O R D E R**

1. Ld. Counsel for the parties present.
2. **IA(COMPANIES.ACT)/133(KB)2024**
  - (a) This Application has been filed under Section 22(3)(b) of the Code by the applicant for replacement of the IRP and proposal to appoint Mr. Ashok Kumar Sarawagi as the Resolution Professional for the period of CIRP.
  - (b) This application is duly supported by an affidavit of RP/ Applicant which is at page 12-13.
  - (c) It is submitted that in the first meeting of COC held on 31<sup>st</sup> May 2024. In the first meeting of the COC, the resolution professional for confirmation of Mr.



**Rajiv Kumar Agarwal** as the Resolution Professional from IRP was not passed/ confirmed by the COC. Thereafter, the 2<sup>nd</sup> COC meeting was held on 14<sup>th</sup> Jne, 2024 wherein **Mr. Ashok Kumar Sarawagi** (Reg. No. IBBI/IPA-001/IP-P00171/2017-2018/10340) was proposed as the Resolution Professional in place of Rajiv Kumar Agarwal by COC. Accordingly, the resolution for replacement of RP was put to vote in e-voting after the conclusion of the 2<sup>nd</sup> COC meeting and the resolution for replacement of the RP was approved with 100% voting of the COC (**Annexure - A, Page 14-67**).

(d) In view of the above, we allow the replacement of IRP of Mr. Ashok Kumar Sarawagi in place of Mr. Rajiv Kumar Agarwal. However the fees and charges payable to the IRP shall be paid expeditiously.

(e) Accordingly, this IA is being allowed and **disposed of**.

3. Post this matter on **30.08.2024**.

**Balraj Joshi**  
**Member (Technical)**

**Bidisha Banerjee**  
**Member (Judicial)**