

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT – II)**

**Item No. 218**  
**IB-297/ND/2023**  
**IA-6093/2023**

**IN THE MATTER OF:**

**Indian Bank** ... **Applicant/Petitioner**

**Versus**

**Ansal Properties and Infrastructure Ltd.** ... **Respondent**

**Under Section: 7 of IBC, 2016**

**Order delivered on 30.11.2023**

**CORAM:**

**SH. ASHOK KUMAR BHARDWAJ,**  
**HON'BLE MEMBER (J)**

**SH. L. N. GUPTA,**  
**HON'BLE MEMBER (T)**

**PRESENT:**

**For the Applicant** : Adv. Rajesh Kumar Gautam, Adv. Anant  
Gautam, Adv. Anani Achumi, Adv. Shivani Sagar,  
Adv. Dinesh Sharma

**For the Respondent** :

**For the Homebuyer** : Adv. Yash Kotak for Mr. Vinod Chandra Sharma,  
Adv. Shakshi Chahar for Mr. Brajesh Kumar  
Sharma

**Hearing Through: VC and Physical (Hybrid) Mode**

**ORDER**

**IA-6093/2023:** The prayer made in the captioned application reads thus:-

*“a. pass an order for appointment of Mr. Rajeev Dhingra, Insolvency Professional having Registration No. IBBI/IPA-001/IP-P-01946/2019-2020/12970, as the Authorized Representative of Class of Financial Creditors of the Corporate Debtor in terms of Section 21(6A)(b) of IBC read with regulation 16(A) of the CIRP Regulations;”*

As has been espoused in para 4 and 5 of the application, the IRP had proposed names of three IPs for being appointed as Authorized Representative (AR) of the Financial Creditors in a class (Homebuyers) and one of the Ips namely, Mr.

Rajiv Dhingra could get the maximum votes. Para 5 of the additional affidavit dated 24.11.2023 filed on behalf of the RP reads thus:

5. I say that in compliance of the above stated Order dated 20.11.2023 passed by this Hon'ble Adjudicating Authority in I.A. No. 6093/2023, the details of number of votes/nominations received by each of the 3 Insolvency Professional whose names were recommended in Form A for appointment as an Authorized Representative is as follows:

<b>PARTICULARS</b>	<b>TOTAL</b>
Claims Received	374
Related Party	52
Un-Related Party	322
<b>Number of nominations received in form CA (un-related party) by each IP for appointment as Authorised Representative:</b>	
1. Mr. Rajeev Dhingra	155
2. Mr. Anil Kumar	151
3. Ms. Harmeet Kaur	16

Ld. Counsel for the Applicant could draw our attention to Regulation 16A of IBBI (CIRP) Regulations 2016 to espouse that the IP, who mustered the maximum/highest number of votes needs to be appointed as the authorized representative.

Given the aforementioned submissions and averments in the application, we have no option but to appoint Mr. Rajiv Dhingra as the authorized representative of the Financial Creditor in class (Homebuyers) of the CD.

**In the wake, the application stands allowed.**

**Sd/-  
(L. N. GUPTA)  
MEMBER (T)**

**Sd/-  
(ASHOK KUMAR BHARDWAJ)  
MEMBER (J)**