

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Contempt Case (AT) No. 03 OF 2018  
IN  
Company Appeal (AT) (Insolvency) No. 304 of 2017**

**IN THE MATTER OF:**

**Export Import Bank of India**

**...Petitioner**

**Vs.**

**Mr. Mukesh Mohan  
Resolution Professional, JEKPL Pvt. Ltd.**

**...Contemnor-  
Respondent**

**Present: For Appellant: - Mr. Ashish Rana, Advocates.**

**For Respondent:- Mr. Amarendra Sharan, Senior  
Advocate with Mr. Nesar Ahmad, PCS and Mr. Rohit  
Chaudhary, Advocate.**

**O R D E R**

**20.03.2018-** Mr. Mukesh Mohan, 'Resolution Professional', JEKPL Pvt. Ltd. appears in person. He has filed a reply to Show-Cause Notice dated 9<sup>th</sup> February, 2018.

Mr. Amarendra Sharan, learned Senior counsel appearing on behalf of the Contemnor-Respondent submits that the Respondent has tendered his unconditional and unqualified apology. He further submits that it was unintentional disregard of the order dated 8<sup>th</sup> December, 2017 passed by this Appellate Tribunal.

However, without going into the question whether disregard of the order dated 8<sup>th</sup> December, 2017 was intentional or not, in view of the facts as brought to the notice of this Appellate Tribunal by learned Senior Counsel for the Appellant and following statement as made by Mr. Mukesh Mohan, we do not intend to proceed further.

*“3. That I am registered as an Insolvency Professional with the Insolvency and Bankruptcy Board of India and I was appointed as the Interim Resolution Professional / Resolution Professional of the following Corporate Debtors:*

*(a) JEKPL Private Limited by the Hon’ble Adjudicating Authority, Allahabad Bench vide its order dated June 01, 2017 in CP No. 24/ALD/2017*

*(b) Carnation Auto India Private Limited by the Hon’ble Adjudicating Authority, New Delhi Bench vide its order dated September 25, 2017 in the IB No. 302(ND) of 2017*

*(c) Athena Demwe Power Limited by the Hon’ble Adjudicating Authority, New Delhi Bench vide its order dated September 28, 2017 in IB No. 244(ND) of 2017.*

*(d) Tirupati Inks Limited by the Hon'ble Adjudicating Authority, Principal Bench vide its order dated November 02, 2017 in IB-314(PB)/2017.*

*4. That I tendered my resignation to Committee of Creditors of the following Corporate Debtors on February 07, 2017 through email:-*

- a) Carnation Auto India Private Limited*
- b) Athena Demwe Power Limited*
- c) Tirupati Inks Limited*

*Copies of the resignation sent vide e-mails dated February 07, 2018 to the Committee of Creditors of the aforementioned Corporate Debtors are being annexed herewith and marked as **Annexure R-1(Colly)**.*

*5. That the Committee of Creditors of the Corporate Debtor, Carnation Auto India Private Limited has already accepted my resignation in its meeting held on February 16, 2018. I further state that an application has also been submitted before Hon'ble Adjudicating Authority, New Delhi Bench for appointment of another Resolution*

*Professional by Committee of Creditors, as informed by Mr. Sartaj Singh, Advocate of Committee of Creditors of Carnation Auto India Private Limited vide his email dated March 07, 2018. Copy of email received from Mr. Sartaj Singh, Advocate of Committee of Creditors of Carnation Auto India Private Limited dated March 07, 2018 is annexed herewith and marked as*  
**Annexure R-2**

6. *That the intimation regarding my resignation as Resolution Professional from the Corporate Debtors Tirupati Inks Limited and M/s Athena Demwe Power Limited have been sent to the concerned Adjudicating Authority vide letter dated March 13, 2018. Copies of the intimation sent to Hon'ble Adjudicating Authority, Principal Bench in case of M/s Tirupati Inks Limited and Hon'ble Adjudicating Authority, New Delhi Bench in case of M/s Athena Demwe Power Limited are annexed herewith and marked as*  
**Annexure R-3 (Colly).**

7. *That I have also tendered my resignation to the Committee of Creditors of the Corporate*

*Debtor, JEKPL Private Limited on March 09, 2018 with a copy mark to Insolvency and Bankruptcy Board of India and the registry of Hon'ble Adjudicating Authority (National Company Law Tribunal, Allahabad Bench). Copy of the resignation sent vide e-mail dated March 09, 2018 to Committee of Creditors of the Corporate Debtor, JEKPL Private Limited is being annexed herewith and marked as **Annexure R-4**.*

*8. I once again humbly submits my unconditional and unqualified apology and requests this Hon'ble Appellate Tribunal to accept the same."*

The Contempt proceeding initiated against Mr. Mukesh Mohan is dropped with clear understanding that the Contemnor-Respondent will not act in any manner in violation of any order passed by this Appellate Tribunal or by the Adjudicating Authority (National Company Law Tribunal) in future failing which, appropriate order may be passed by this Appellate Tribunal or the Adjudicating Authority. The contempt proceeding is closed with aforesaid observation.

Let a copy of this order be communicated to the Chairperson of the Insolvency and Bankruptcy Board of India, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi, Delhi 110001.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

Ar/uk