

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH
GUWAHATI**

ORDER SHEET OF THE HEARING ON 13th MAY 2026

CP (IB)/30/GB/2025

**Present: 1. Hon'ble Member (Judicial), Shri Rammurti Kushawaha
2. Hon'ble Member (Technical), Shri Yogendra Kumar Singh**

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| In the Matter of | Indian Overseas Bank Vs T. K. Engineering Consortium Private Limited |
| Under Section | U/s 7 of IBC, 2016 |

Appearances (via video conferencing/physically)

For Petitioner (s) : Mr. Arijeet Ganguly, Adv.

For Respondent (s) : Mr. Pravin Kumar Chhajer, CS

ORDER

1. The present application has been filed by Indian Overseas Bank ("Financial Creditor"/ "FC"), The Financial Creditor is a Body Corporate constituted under the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970, under Section 7 of the Insolvency and Bankruptcy Code, 2016 and its rules hereunder seeking initiation of Corporate Insolvency Resolution Process ("CIRP") against T.K. Engineering Consortium Private Limited ("Corporate Debtor"/ "CD") for seeking recovery of the Total Amount of Debt i.e, 8,70,67,500/- (Rupees Eight Crores Seventy Lakhs Sixty Seven Thousand Five Hundred) along with costs and charges as on 02.02.2025 against financial assistance in the nature of TReDs Bill Discounting Limit upon T.K. Engineering Consortium Private Limited.
2. T. K. Engineering Consortium Private Limited (Corporate Debtor) is a private limited company incorporated under the Companies Act 1956, bearing CIN: U40102AR2008PTC008252.

3. The present Application had been filed by the Applicant/ Financial Creditor under Section 7 of the Insolvency and Bankruptcy Code, 2016 seeking initiation of Corporate Insolvency Resolution Process (CIRP) against the Respondent/Corporate Debtor.
4. It is submitted by the Ld. Counsel for the petitioner that CIRP has already been initiated against the Corporate Debtor i.e, T. K. Engineering Consortium Private Limited *vide* order dated **30.04.2026** passed in **CP(IB)/23/GB/2025**, therefore this Company petition has become infructuous.
5. It is also brought to the notice of this Adjudicating Authority that in a separate Company Petition bearing **CP (IB) /23/GB/2025**, filed against the same Corporate Debtor, this Adjudicating Authority has already admitted the petition under Section 9 of the Code and initiated CIRP against the Corporate Debtor namely T. K. Engineering Consortium Private Limited *vide* order dated **30.04.2026**.
6. Consequent upon the said admission order, moratorium under Section 14 of the Code has come into effect and an Interim Resolution Professional (IRP) has been appointed.
7. In view of the above, once CIRP has already been initiated against the Corporate Debtor, the present Application for initiation of CIRP does not survive for consideration.
8. However, it is clarified that the Applicant is at liberty to file its claim before the Interim Resolution Professional in the ongoing CIRP in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016 and the regulations framed thereunder.
9. Accordingly, the present Company Petition stands **disposed of** with the aforesaid liberty.
10. The Registry is directed to send a copy of this Order to the Registrar of Companies, Guwahati, to update the Master Data of the Corporate Debtor accordingly.
11. The Registry is directed to communicate a copy of this order to the Financial Creditor, the Corporate Debtor, and the IRP forthwith.
12. Certified Copy of this order may be issued, if applied for, upon compliance of all requisite formalities.
13. File be consigned to records.

Sd/-
Yogendra Kumar Singh
Member (Technical)

Sd/-
Rammurti Kushawaha
Member (Judicial)