

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH

ITEM No. 6
(IB)-16(PB)/2017

IN THE MATTER OF:

Anil Mahindroo & Anr

.... Applicant/petitioner

Vs.

Earth Iconic Infrastructures Pvt. Ltd.

.... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 27.11.2019

Coram:

SH. AJAY KUMAR VATSAVAYI
HON'BLE MEMBER (JUDICIAL)

SH. S.K MOHAPATRA
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Petitioner(s) : Mr. Shiv Lal Kannaujiya, Adv.

ORDER

CA-2636(PB)/2019

This is an application filed by Earth United Consumer(s) Association through its President Mr. R.K. Sehgal, against the Resolution Professional and Authorized Representative of the financial creditors of M/s. Earth Iconic Infrastructures Pvt. Ltd. which is an undergoing CIR Process. This application has been filed under Section 60(5) of the Insolvency & Bankruptcy Code read with Rule 11 of the NCLT Rules, 2016 seeking the following relief:-

- i. "Annulled and Set aside the decision of CoC dated 08.11.2019 of rejection of resolution plan without proper discussion with the home buyers;

V. S. Anand

answered by the Resolution Professional/AR, at the earliest.

Ld. Counsel for the resolution applicant states that a sum of Rs. 10,00,000/- shall be deposited in the account of the RP in order to meet the cost for the meeting expenses subject to furnishing of accounts.”

3. Since this Tribunal has already passed certain directions for conducting the fresh voting on the proposed revised plan of the Resolution Applicant wherein the members of the applicant association also be given adequate opportunity for casting their vote afresh and also certain observations were made in respect of the queries of the home buyers which would be answered by RP/AR, in our view, nothing survives in the instant application. Accordingly, CA-2636(PB)/2019 is dismissed.

- Sed -

(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

- bcl -

(AJAY KUMAR VATSAVAYI)
MEMBER (JUDICIAL)

27.11.2019
Aarti Makker