

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

(IB)-470(ND)/2017

CORAM:

**PRESENT: MR. L.N. GUPTA
HON'BLE MEMBER(T)**

**MS. INA MALHOTRA
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 08.11.2019**

**NAME OF THE COMPANY: Sh. Amit Kumar Malik Vs. M/s. Kindle
Developers Pvt. Ltd.**

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO. NAME DESIGNATION REPRESENTATION SIGNATURE

Present for the Petitioner: Mr. Abhishek Pratap Singh, Advocate for the RP
Ms. Shweta Thakur
Present for the Respondent: Mr. Abhay Kaushik, Advocate
Mr. Raunak Saptapathy, Advocate
Mr. Paramjit Gandhi, Shareholder

ORDER

The RP has brought it to the notice of this Bench that the project of the Corporate Debtor under construction is in violation of the sanctioned plan. Notice is being issued to Noida Authority to conduct an on the spot inspection of the project and file a report before this Bench. To come up on 18th November, 2019. Notice be effected by the RP. Dasti

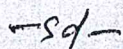
Vide order dated 21.10.2019, bailable warrants had been issued against the major shareholder Mr. Paramaject Gandhi, who is alleged to be wholly and solely in charge of the affairs of the Respondent Company. It is submitted by Id. counsel that Mr. Paramject Gandhi has handed over whatever information he

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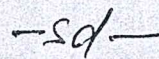
had. It would not be out of place to note that no data could be procured from the computers. The submission that no further information is available is unacceptable. He is directed to hand over the entire tally data backup to RP. In addition, it is considered expedient that Mr. Pradeep Jha, the Accountant in the respondent company to come and explain on what basis the accounts have been prepared. Mr. Paramjeet Gandhi, who is present in Court is directed to furnish the address of the Accountant, and give details of the Bank in which his salary used to be deposited. The Bank record shall contain the address of the Accountant. RP shall also file an affidavit clearly indicating the information required to be furnished.

It is further considered expedient that since the bailable warrants could not be executed against the ex-Directors Ms. Shikha Tiwari & Mr. Piyush Tiwari, non-bailable warrants be issued, to be executed by the concerned police station. Accordingly, non-bailable warrants be issued at the last known address of the absconding ex-Directors.

Mr. Paramjeet Gandhi is present in Court. He is being discharged till further orders but he shall remain present as and when directed. His counsel shall appear in the court till further orders.



(L.N. Gupta)
Member (T)



(Ina Malhotra)
Member (J)