

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 130
(IB)-477(PB)/2017

IN THE MATTER OF:

Au Small Finance Bank Ltd. Applicant/petitioner
v.
Prabhu Shanti Real Estate Pvt. Ltd. Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, CIRP

Order delivered on 07.01.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

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

PRESENTS:

For the petitioner: Mr. Sakal Bhushan, Amicus Curae, Adv. & Mr. Akash Jandial, Adv.
For the Respondent(s): Mr. Balvinder Ralhan, Adv. for Intervenor.
For the RP Mr. Rahul Shukla, Adv. & Mr. Abhishek Anand, Adv. for RP

ORDER

CA-1147(PB)/2018

During the course of arguments, we found that presence of financial creditor other than the home buyers would also be necessary because the argument advanced is that all the home buyers as financial creditor should be a part of the CoC irrespective of the fact whether they have filed their claim or not. If the aforesaid argument is to be answered then the hearing to the other financial creditors like NBFC/The Banks are also required to be heard. We have been told by the Ld. RP that the following other member of the CoC would be required to be heard:-

1. Zamzland Bank

2. Au Small Finance Bank
3. Muthoot Finance
4. SE Investment Ltd.
5. Paisa Lo.Com

The RP shall serve the aforesaid five entities by dasti notices along with the copies of the paper book.

List for further consideration on 17.01.2019.

CA-35(PB)/2019

Notice of the application to RP. A copy of the application may also be furnished to the Ld. Amicus as well as Mr. Jhanjhi, Counsel who is represented the group of home buyers.

List for further consideration on 17.01.2019.

Sd/-

**(M.M.KUMAR)
PRESIDENT**

Sd/-

**(S. K. MOHAPATRA)
MEMBER (TECHNICAL)**