

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

IN THE MATTER OF:

(IB)-719(PB)/2018

Samit Kapur & Ors.

.... Applicant/petitioner

Vs.

M/s. Indirapuram Habitat Centre Pvt. Ltd.

.... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 17.09.2018

Coram:

CHIEF JUSTICE (RTD.) M.M. KUMAR
Hon'ble President

Sh. S. K. MOHAPATRA,
Hon'ble Member (Technical)

PRESENTS:-

For the Petitioner/Applicant: Mr. Ajay Kr. Tandon, Lalit Gupta, Himanshu Dubey,
Adv.

For the Respondent(s): Mr. Ashish Aggarwal, Gurucharan Singh, Mr. Singal,
Adv.

ORDER

Before dealing with application we may observe that order in the main petition i.e CP No. IB)/719(PB)/2018 was reserved on 14.09.2018. However, parties have settled the claim. Consequently, a joint application by the parties has been filed showing the second settlement agreement between the financial creditor and the corporate debtor. It is appropriate to mention that on 02.01.2018, a settlement was effected and CP No. (IB)-05(PB)/2018 was dismissed. Second round of litigation is necessitated because the corporate debtor did not adhere to the terms of the settlement and the amount was not paid. Accordingly, the present settlement has been named as second settlement agreement.

We hope and trust that this time the settlement is adhered to and the entire payment to the satisfaction of the petitioner has been made by way of demand drafts. The details of the demand drafts is as under:-

Sr. No.	Demand Draft No.	Amount(INR)	Issued by	In favour of



1	080980	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 1
2	080981	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 1
3	080982	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 1
4	080983	5,66,594	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 1
5	363383	6,01,021	Syndicate Bank, CD Block, Pitampura, New Delhi	Claimant No. 1
6	080972	5,66,594	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 2
7	080973	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 2
8	080974	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 2
9	080975	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 2
10	363384	6,01,021	Syndicate Bank, CD Block, Pitampura, New Delhi	Claimant No. 2
11	080976	5,66,594	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 2
12	080976	5,66,594	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 3
12	080977	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 3
13	080978	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 3
14	080979	6,01,021	HDFC Bank, Pitampura, Community Centre, New Delhi	Claimant No. 3
15	363382	6,01,021	Syndicate Bank, CD Block, Pitampura, New Delhi	Claimant No. 3

In view of the above learned counsel for the petitioner states that nothing remains to be adjudicated in this petition. All terms and conditions of the settlement agreement shall be adhered to. Liberty granted to move appropriate application when necessary arises.



The reserved order dated 14.09.2018 is recalled.

In view of the above the application is allowed. The CP No. (IB)-719(PB)/2018 is disposed of in terms of settlement.

—Sd/—

(M.M.KUMAR)
PRESIDENT

—Sd/—

(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

17.09.2018
Aarti