

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
03.09.2019**

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

SECTION OF THE COMPANIES ACT: 7 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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	Present: Mr. Abhishek Pratap, Advocate for RP Mr. Umesh Aggarwal and Mr. Manish Kaushik, Advocates for the Petitioner			
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ORDER

CA 1048/2019 has been filed by an aggrieved home buyer whose claim has been rejected by the RP. Notice of this application is accepted by Ld. Counsel appearing for the RP.

CA 1073/2019 has been filed by the RP praying for liberty to proceed further in this case as the stay granted on further proceedings by Hon'ble Apex Court has since been vacated. In view of the submission made, this application is allowed. The CIR process shall continue.

CA 1073/2019 has been filed praying for exclusion of 43 days from the CIR period. it is submitted that on account of the stay order given by the Hon'ble Apex Court in W. P. No. 312/2018, no further proceedings could take place.

In view of the submissions made by the applicant, this prayer merits consideration. Accordingly, 43 days are directed to be excluded in computing the CIR period. Ld. Counsel appearing for the RP submits that 270 days shall now expire on 16th October, 2019. The RP is directed to ensure that steps be taken.

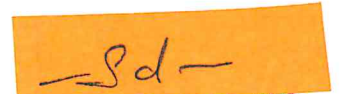
The RP has apprised this Bench that there are 2 resolution plans which are under consideration and shall be placed before the COC shortly. Let steps be taken.

CA 470/2019 has been filed by the aggrieved home buyers whose claims have not been taken into account. Let reply be filed.

To come up for further consideration on 13th September, 2019.



(L. N. Gupta)
Member (T)



(Ina Malhotra)
Member (J)