

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

IB- 22 /ND/2018

In the matter of :

Oriental Bank of Commerce

.. PETITIONER

Vs.

Shekhar Resorts Ltd & Ors.

.. RESPONDENT

SECTION

Under Section 7 of IBC, 2016

Order delivered on 06.5.2019

Coram :

Sh. R. Varadharajan,

Hon'ble Member (Judicial)

Ms. Deepa Krishan,

Hon'ble Member (Technical)

For the Petitioner /Op. Creditor : Ms. Sowmya Sai Kumar, Advocate, Mr. Abhishek

Anand, Mr. Anant A Pargi, Advocates

For the Respondent/Corporate Debtor : Mr. Khushal Mohal, Advocate, Mr. Rakesh Kumar,

Mr. Pranav Verma, Ms. Chetna Bisht, Advocates

For the Intervener

: Branch Manager, SBI, Punj Essen House, Nehru Place

ORDER

Application in CA No.267/C-III/ND/2019 which has been filed by the Applicant, being the Resolution applicant. The Applicant as well as Ld. R.P. are present. Ld. Counsel for the R.P. brings to the notice of this Tribunal that this application has become infructuous in view of the fact that the time period has been extended by the COC for submission of additional document to the Resolution Plan till 15.5.2019. It is brought to the notice of this Tribunal that in view of the fact that additional time has been granted to the applicant herein to file the additional documents in relation to the Resolution Plan, this application has become infructuous.

*Contd -*

Taking into consideration the said representation of Ld. Counsel for the R.P, this application stands dismissed as infructuous.

CA No.261/2019 has been filed. Ld. Counsel for the Applicant as well as Ld. Counsel for the R.P. are present. It is stated that reply as directed to be filed by this Tribunal has been duly filed by the IRP. Ld. Counsel for the applicant seeks time to file rejoinder within 2 weeks. Let the same be complied within 3 days from today.

Post the matter for arguments in the application on 27.5.2019.

CA No. 284/C-III/ND/2019, Pursuant to the directions dated 24.4.2019 and taking into consideration the representation made by Ld. Counsel for the Respondent, R-1 to R-4 were directed to appear without fail today (06.5.2019). However, a representation is made on behalf of Counsel for these respondents that in view of some exigency, they are not able to be present today and that an application has been moved on 03.5.2019 for dispensing with their appearance. However, it is seen that respondents are adopting evasive and delaying tactics and are not complying with the directions issued by this Tribunal. In the circumstances, if these respondents do not appear on the next date of hearing, this Tribunal will be constrained to take severe action in relation to non-compliance of the Order passed by this Tribunal.

A last and final opportunity is given to these respondents to put in their appearance before this Tribunal on the next date of hearing.

Post the matter on 13.5.2019.

CA No.254/2019 : Pursuant to the directions issued by this Tribunal, Application in CA No.254/C-III/ND/2019 has been moved by the R.P, and the State Bank of India, the respondent is being represented by Mr. C.S. Parvan,

IB-22/ND/2018  
C-III

Branch Manager, Nehru Place, New Delhi Branch & Mr. Khushhal Mohal, Counsel for the Respondent. Opportunity is given to SBI to file its reply to the aforesaid application as moved by the RP.

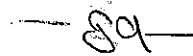
Post the matter on 13.5.2019.

**CA No. 248/2019** : Learned Counsel for the Applicant is present and states that this application has been filed seeking for directions from this Tribunal to the Resolution Professional to consider the claim as made by the Applicant. An opportunity is provided to the R.P. to respond to this application, if required within a period of one week.

Post this matter on 13.5.2019.



(DEEPA KRISHAN)  
MEMBER (TECHNICAL)



(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit  
06.5.2019