

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 114
(IB)-1248(PB)/2018

IN THE MATTER OF:

Shinoj Koshy

.... Applicant/petitioner

v.

M/s. Granite Gate Properties P Ltd.

.... Respondent

Order under Section 7 of IBC, 2016

Order delivered on 09.08.2019

Coram:

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

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

PRESENT:

For the applicant:-

Mr. P. Nagesh, Mr. Rachit Mittal, Ms. Tanvi Agarwal, Advs. for Noida Authority
Mr. Alok Dhir, Ms. Varhsa Banerjee, Ms. Juhi Bhambhani, Advs. for CA-1429/19.

For the respondent

Dr. U.K Chaudhary, Sr. Adv. with Mr. Dhruv Gupta, Adv. for IRP
Ms. Manisha Chaudhary, Ms. Samridhi Gogia, Adv. for AR
Mr. Prateek Gupta, Ms. Riya Arora, Advs. for R-3
Mr. Nakul Mohta, Adv. for R-2

ORDER

The question raised in the present case as to whether Noida Authority has to be regarded as a financial creditor or an operational creditor. In one matter, the resolution professional has taken a view that it is not a financial creditor and that it is an operational creditor whereas in the other matter the RP has decided that it is a financial creditor. In order to settle the controversy, the parties may file pleadings, if any, by exchanging copies within a week.

 List for arguments on 27.08.2019.

CA-1429(PB)/2019:-

Ms. Manisha Chaudhary, learned counsel for the Authorised Representative states that reply to this application shall be filed within a week with a copy in advance to the counsel for the applicant.

Mr. Dhir has however, argued that CoC has rejected the candidature of the RP in its meeting held on 18.02.2019.

Reply by other respondents may also be filed by exchanging copies.

List for further consideration on 28.08.2019.

Sd/-

(M.M.KUMAR)
PRESIDENT

Sd/-

(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

09.08.2019
Aarti Makker