

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI, COURT – II

Item No. 205
(IB)-895(ND)2019

IN THE MATTER OF:

M/s. Kaushalya Bansal

... **Applicant/Petitioner**

Versus

Dwarkadhhis Projects Pvt. Ltd.

... **Respondent**

Under Section: 7 of IBC, 2016

Order delivered on 13.01.2021

CORAM:

SHRI. ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (J)

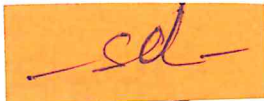
SHRI L.N. GUPTA,
HON'BLE MEMBER (T)

PRESENT: Adv. Kunal Godhwani & Maya Gupta for Petitioner/Financial Creditor, Adv. Pallavi Mishra for the Corporate Debtor


ORDER

Heard, the Ld. Counsel for the Applicant as well as the Respondent. In the course of hearing, Ld. Counsel for the Respondent referred to the last 3 lines of the para 3 of the Application filed by the Applicant which is quoted as "hence the Applicant is a Financial Creditor being a Real Estate Allottee as per explanation I to Section 5(8)(f) of IBC, 2016." But in the course of arguments, Ld. Counsel for the Applicant made a submission that he has not filed this Applications under this particular clause rather claimed that his Application is under Section 5(8)(e) of IBC, 2016, which shows that the correct facts have not been placed by the Ld. Counsel.

Since this matter is pending before the Hon'ble Apex Court in writ Petition (Civil) No. 26/2020, and status quo order was passed therefore, in view of the status quo order, list the matter after the disposal of civil writ 12th April, 2021.



(L. N. GUPTA)
MEMBER (T)



(ABNI RANJAN KUMAR SINHA)
MEMBER (J)