

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

Item No. 113
(IB)-470(ND)/2017
IA/5623/2020, CA/965/2020

IN THE MATTER OF:

Amit Kumar Malik ... **Applicant/Petitioner**
Versus
M/s. Kindle Developers Pvt. Ltd. ... **Respondent**

Under Section: 7 of IBC, 2016

Order delivered on 01.02.2021

CORAM:

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

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

PRESENT:

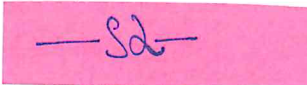
Adv Aishwarya, Adv Akash Shrivastava, for Counsel for applicant
Mr. Rachit Mittal Adv. for Noida Authority
Adv Sanyam Goel and Adv Mohtashim Kibriya for Mr. Anurag Sachdeva

ORDER

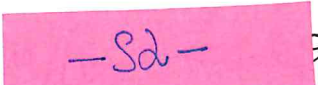
IA/5623/2020 - In the course of hearing, we notice that the amount claimed by the petitioner is partly based on the cheque payment and partly on the cash transactions. So far as the cheque payment is concerned, as submitted by Ld. Counsel appearing for the RP, the claim has already been accepted by the RP. As per the submission of the Ld. Counsel for the Appellant, cash payment was made on the 3rd March, 2015, whereas the CIRP was initiated on 9th March 2018 i.e. 3 years after the limitation period. Under such circumstances, the petitioner is well advised to convince us on the point of limitation.

List the matter on 8th February, 2021.

CA/965/2020- List the matter on 5th February 2021 along with IA 1664/2020.



(L. N. GUPTA)
MEMBER (T)



(ABNI RANJAN KUMAR SINHA)
MEMBER (J)