

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

**Item No. 207**  
**(IB)-980(ND)2020**  
**IA/1712/2021**

**IN THE MATTER OF:**

**M/s. Viswaroopa Info Services India Private ... Applicants/Petitioners  
Limited**

**Versus**

**M/s. Siti Vision Digital Media Private Ltd.**

**Under Section: 9 of IBC, 2016**

**Order delivered on 13.08.2021**

**CORAM:**

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

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

**PRESENT:** Advocates for Applicant - Vivek Sarin, Astha Sehgal  
Counsels for Corporate Debtor - Mr. Rajshekhar Rao, Sr. Adv with Mr.  
Shivam Singh, Adv and Mr. Sahil Raveen, Adv  
Mr. P. Nagesh Sr. Advocate, Harshal Kumar, Shivam Wadhwa, Akshay  
Sharma for Operational Creditor.

**ORDER**

**IA/1712/2021-** By filing this application under Rule 11 of the NCLT rules,  
the Applicant has prayed for the following reliefs -

- a. Allow the present Application and permit the Applicant to intervene.
- b. Allow the Applicant to place on record the detailed submissions along  
with necessary documents before the admission of the C.P. No. (IB)-  
980(ND)2020.

Heard the Ld. Counsels for the Applicant as well as the Respondent and  
perused the averments made in the application and reply filed on the  
respective parties. Ld. Counsel for the Applicant submits that the Applicant  
is the shareholder in both the Companies i.e. in the Operational Creditor's  
Company as well as in the Corporate Debtor's Company. He further submits  
that the Operational Creditor has filed this petition C.P. No. (IB)-980(ND)2020,

 

which is not supported by any Board Resolution. So, the Applicant may be added as a party in this proceeding.

In the light of the submissions and on perusal of the main petition, we notice that the main petition is filed under Section 9 of the IBC. So far as Section 9 of the IBC is concerned, the facts which are required to be considered are whether the debt is an Operational Debt and the Petitioner is the Operational Creditor or not and the other party is Corporate Debtor. So far as any other persons are concerned, in our considered view, they are not a necessary party in a proceeding under Section 7 or 9 of the IBC . Hence, we are not inclined to allow the prayer of the Applicant to intervene in the matter. Accordingly, his prayer to intervene in the matter is hereby Rejected.

**Accordingly, the IA-1712/2021 is Dismissed.**

**(IB)-980(ND)2020:** Partly heard, the Petitioner's Counsel. List the matter on 17<sup>th</sup> August, 2021.

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**(L. N. GUPTA)**  
**MEMBER (T)**

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**(ABNI RANJAN KUMAR SINHA)**  
**MEMBER (J)**