

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT - IV

ITEM No. 106
IA No.-947, 676, 340, 364/ND/2021
IB-2721/(ND)/2019

IN THE MATTER OF:

M/s Straight Edge Contract Pvt. Ltd.
Vs.
M/s Three C Shelters Pvt. Ltd.

....**Applicant**

....**Respondent**

Order under Section 9 of IBC.

Order delivered on 11.03.2021

Coram:

DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)

MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)

PRESENTS:

For the Applicant
(IA No. 340/2021)

:Mr. P Nagesh, Adv.
Mr. Ravi Kumar Adv.
Mr. Harshal Kumar Adv.,
Mr. Shivam Wadhwa Adv.
Mr. Ankit Agarwal

For the Applicant
(IA. No. 364, 676/2021)

: Mr. Vaibhav Gaggar, Adv.
Ms. Sumedha Dang, Adv.
Mr. Akash Chatterjee, Adv.
Mr. Rohan Khatna Adv

For the Intervenor

: Mr. Sumant Batra
Ms.Niharika Sharma

For the RP

: Ms. Sonal Alagh, Adv.

For the Respondent

:

ORDER

IA No. 340/ND/2021 and IA No. 364 with IA No. 676/ND/2021 are applications filed by claimants seeking directions against RP to admit their claims. The applicants in IA No. 340/ND/2021 and IA No. 676/ND/2021 with IA No. 364 had approached Hon'ble NCLAT and Hon'ble NCLAT had passed directions as follow:-

The appeal filed by the applicants of IA No. 340/ND/2021. The operative portion of Hon'ble NCLAT order reads :-

“In the given circumstances, the appeal is disposed of with direction to the Adjudicating Authority to ensure that IRP files its report in regard to verification of the claims by 10th March 2021 so that the Adjudicating Authority is able to pass an order on given date i.e. 11th March 2021”.

Today, the application by present CoC members came up before us for change of RP from erstwhile IRP and the same is allowed. In view of the change of RP, the present RP Mr. Chander Prakash seeks and is given indulgence of sometime to comply the order dated 01st March 2021 passed by Hon’ble NCLAT. In order to comply with the directions of Hon’ble NCLAT to enable present RP to file report, we direct the erstwhile IRP to handover all the documents, information, assets and other belonging of the Corporate Debtor to the present RP Mr. Chander Prakash by tomorrow evening effectively. The present RP Mr. Chander Prakash is directed to file report as directed by Hon’ble NCLAT in order dated 01st March 2021, within five days, to enable us to pass further order in IA No. 340/ND/2021..

The applicants of IA No. 676/ND/2021 had also approached Hon’ble NCLAT and the operative portion of the relevant order passed on 08th March 2021 reads as follows:-

“ In view of the request made by appellant through the Learned Senior Counsel, the appeal is disposed of as withdrawn with the request of Learned Adjudicating Authority to decide IA No. 676/ND/2021 and IA No. 364/ND/2021 urgently”.

In view of the directions passed by us as mentioned above to the erstwhile IRP and RP, it will be only possible after filing of report by RP before this Bench, to dispose of the various applications filed by the different sets of allottees being the above claimants.

The present RP is directed to reconsider the claims of the claimants of IA No. 340/ND/2021 as well as IA No. 676/ND/2021 with respect to its admissibility. The meeting of CoC will be held only after the next date of hearing.

List on 19.03.2021.

IA No. 947/ND/2021:

Application filed by IRP against Oriss Infrastructure Pvt. Ltd. Learned Counsel Mr. Vaibhav for non-applicant Oriss Infrastructure Pvt. Ltd., undertakes to file reply within one week, with copy in advance to the other side.

List on 22.03.2021

Sd/-
SUMITA PURKAYASTHA
MEMBER (T)

Sd/-
DR. DEEPTI MUKESH
MEMBER (J)

Vaishali - 11.03.2021