

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

Item No.101
IB-39(ND)/2020

IN THE MATTER OF:

Amit Sharma
Vs.
Supertech Ltd.

....FINANCIAL CREDITOR

....RESPONDENT

SECTION
U/s 7 of IBC

Order delivered on 24.03.2021

CORAM:
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)
SHRI NARENDER KUMAR BHOLA
MEMBER (TECHNICAL)

PRESENT:

For the Applicant/FC : Mr. Mareesh Pravir Sahay, Ms. Eccha Shukla,
Ms. Awanitika, Advocates.
For the Respondent/CD : Mr. Satish Rai and Mr. Akhil Shankhwar, Advocates.

ORDER

The learned Registrar of NCLT, New Delhi appears before us in compliance of the order dated 16.03.2021 and makes submissions that the Registry cannot have objections in refund matters and the order of the Court will be complied with provided there should be specific directions against the Registry with respect to the mode of action which is to be taken up by the Registry. He further submits that since each and every payment by the applicant is deposited with Pay and Account Officer, MCA. Hence, the Registry as such does not have any role to play while refunding the money but can act as a facilitating agency if ordered by any Court and undertakes for compliance in its true spirit. Learned counsel for the Applicant is called upon to respond to the submissions of the Registrar and further point out from the order of the Hon'ble Supreme Court dated 19.01.2021, in relation to seeking refund with respect to the withdrawn applications due to non-compliance of the Ordinance dated 28.12.2019.

List the matter on 19th April, 2021 for further consideration.

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(NARENDER KUMAR BHOLA)
MEMBER (TECHNICAL)

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(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)