IN THE NATIONAL COMPANY LAW TRIBUNAL NEW DELHI BENCH (COURT - II)

Item No. 315 (IB)-1238(ND)2019 IA/1729/2020 IA/4310/2020 IA/4605/2020

IN THE MATTER OF:

M/s. Arcee Trading Corporation

Applicant/Petitioner

Versus

M/s. Dev Landcon Pvt. Ltd.

Respondent

Under Section: 9 of IBC, 2016

Order delivered on 25.11.2020

CORAM:

SHRI. ABNI RANJAN KUMAR SINHA, HON'BLE MEMBER (J) SHRI. L. N. GUPTA, HON'BLE MEMBER (T)

PRESENTS:

Mr. Sanjeev Panda Advocate for Operational Creditor, Advocate Sabhay Choudhary for Corporate Debtor

ORDER

IA/1729/2020 & IA/4310/2020: In the course of hearing of the application, the RP informed that he has filed another application, which is registered as IA 4605/2020, enclosing therewith the order dated 09.10.2020 passed by the Hon'ble NCLAT in the Company Appeal (AT) (Insolvency) No. 213/2020 dated 09.10.2020. He further informed that the said appeal is allowed and the impugned order of 23.01.2019 passed by this Bench has been set aside and the CD is released from the rigour of the moratorium. Hence, under the circumstances, both the IA 1729/2020 and IA 4310/2020 have become infructuous.

Considering these facts and that since the Order dated 23.01.2019, by which the CIRP was initiated has already been quashed, these two IAs have become infructuous.

Hence, both the IAs are dismissed, being infructuous.

IA/4605/2020: Mr. Sanjeev Panda, Operational Creditor as well as Counsel for Corporate Debtor sought adjournment to file the reply. Time of two weeks is granted to file the reply.

List the matter on 11.01.2021

MEMBER (T)

(ABNI RANJAN KUMAR SINHA) MEMBER (J)