

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

Item No.-110
IB-1208(ND)/2019
In
New IA-3714/2020

IN THE MATTER OF:

M/s. Luxe Enterprises

Vs.

M/s. Flauro High Tech Appliances Pvt. Ltd.

....OPERATIONAL CREDITOR

....CORPORATE DEBTOR

SECTION

U/s 9 IBC Code 2016

Order delivered on 28.10.2020

CORAM:

CH. MOHD. SHARIEF TARIQ

MEMBER (JUDICIAL)

SHRI NARENDER KUMAR BHOLA

MEMBER (TECHNICAL)

PRESENT:

For the Applicant/OC

For the Respondent/CD

For the Intervener

: Mr. Ankur Singhal, Advocate

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ORDER

Counsel for the Applicant is present. He has referred to the order dated 1st of October, 2019 wherein a settlement was recorded between the parties. It is submitted that the undertaking/affidavit/settlement deed has not been complied with by the Respondent. It is further submitted that the Respondent had given an affidavit/undertaking to this authority to believe that a settlement has happened and obtained the order fraudulently seeking the petition to be dismissed. It is submitted that the non-compliance by the respondent is blatant disregard to the order of this court, which amounts to contempt of Court.

Coutel

However, before issuing the notice under the Contempt of Court Act 1971, we are inclined to issue preliminary notice for hearing the parties for issuance of the Appropriate Notice for contempt of court, if any.

Therefore, the Registry is directed to issue notice to the other side. The Counsel for the Applicant is permitted to send private notice to the other side by all modes and file the proof of service on or before next date of hearing.

List the matter on 23.11.2020.

- 2d -

(NARENDER KUMAR BHOLA)
MEMBER (TECHNICAL)

- 2d -

(CH. MOHD. SHARIEF TARIQ)
MEMBER (JUDICIAL)

Surjit (Court-III)

28.10.2020

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