

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

110 (ND) 2017

CORAM:

PRESENT: MS. DEEPA KRISHAN
HON'BLE MEMBER(T)

MS. INA MALHOTRA
HON'BLE MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 12.02.2018

NAME OF THE COMPANY: Amar Singh Bhadauria Vs.M/s Sky Blue Properties Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES : 241/242

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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	For the Petitioner:	Mr. Rajiv K Adlakha, Advocate		
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	For the Respondent:	Counsel for the Respondent		
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ORDER

No reply has been filed by the JD to this execution petition. The Decree Holder has pressed upon compliance of the order dated 12.7.2017 recorded in CP No. 110/2017. A compromise was arrived at between the parties in terms of which 7 flats had to be given by the Judgment Debtor in addition to the settled amount.

While the amount has been given, it is submitted that six out of seven flats are still not in a completed stage. To corroborate his statement, he prays for appointment of a Local Commissioner. Accordingly, Ms. Lakshmi Gurung (Mobile No.: 9313004529) is appointed as the Local Commissioner. She shall be entitled to engage a photographer and/or take the assistance of an Architect, if so required. The fees of the Local Commissioner is fixed at

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Rs.40,000/-, which at the first instance would be paid by the Petitioner. The petitioner prays that the cost be defrayed as per the shareholder. The same may be recovered as costs at the final stage which shall be subject to the outcome of the present execution petition.

It is also submitted that as per agreement, the Decree Holder is liable to pay maintenance after six months of possession of the flat. Since the flats are still in incomplete, he prays for interim orders to restrain the Judgment Debtor from recovering the same. Subject to the report of the Local Commissioner, the same shall be decided.

The Local Commissioner shall visit the site after due intimation to the parties and shall be accompanied by the representative of each side.

To come up for the report of the Local Commissioner on 9th March, 2018.

-S-d-11

(Deepa Krishan)
Member (T)

-S-d-11

(Ina Malhotra)
Member (J)