

**NATIONAL COMPANY LAW TRIBUNAL**

**NEW DELHI BENCH**

**(IB)-474(ND)2019**

**CORAM:**

**PRESENT: DR. V.K. SUBBURAJ  
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 06.05.2019.**

**NAME OF THE COMPANY: M/s. Idea Estates Pvt. Ltd. V/s. M/s. Enriched  
Restaurant Ltd.**

**SECTION OF THE COMPANIES ACT: U/s 9 of IBC Code, 2016**

<b><u>S.NO.</u></b>	<b><u>NAME</u></b>	<b><u>DESIGNATION</u></b>	<b><u>REPRESENTATION</u></b>	<b><u>SIGNATURE</u></b>
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**Present: Mr. Akash Srivastava, Counsel for IRP**

**Mr. Durga Das Agrawal, IRP In person**

**Mr. Ashok Juneja, Advocate**

**ORDER**

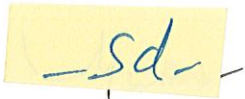
CA 578/2019 is a joint application praying for termination of the CIR process. It is being brought to our notice that the CIR process had been set into motion vide an order dated 23<sup>rd</sup> April, 2019. The IRP has confirmed that no COC has been constituted. In view of the same, relying upon the decision of the Hon'ble Apex Court in the matter of 'Swiss Ribbons Pvt. Ltd. & Anr. Vs. Union of India & Ors.', W.P.(C) 99/2018, there is no legal impediment in granting the prayers of the applicants.

The CIR process is therefore being terminated. The Corporate Debtor is released from the rigours of the moratorium and is permitted to function through its own board. The IRP's remuneration shall be settled within 2 days.

(Sapna)



Objections have been raised by Mr. Ashok Kumar Juneja, Advocate on grounds that he has been discharged by the Operational Creditor without the payment of his dues. The cheque given towards his professional fees has been dishonoured. Steps have been taken to transfer this amount to the Bank account of the Ld. Counsel through NEFT. Ld. Counsel now confirms receipt of the amount under the dishonoured instrument. As the amount under the dishonoured cheque has been duly paid to him, he shall return the same to the Operational Creditor. In any event, the Operational Creditor is discharged of any liability under the dishonoured cheque.



**(Dr. V.K. Subburaj)**  
**Member (T)**



**(Ina Malhotra)**  
**Member (J)**