

**NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH, HYDERABAD  
COURT No.II**

**Intervention Petition No. 30 of 2023  
in  
IA No. 305/HDB/2023  
IN  
CP (IB) No. 372/7/HDB/2018  
[ 60(5) of Insolvency and Bankruptcy Code, 2016  
r/w rule 11 of the NCLT Rules, 2016)**

**In the matter of Indu Projects Limited**

**Between**

**The Andhra Pradesh Industrial  
Infrastructure Corporation Ltd.,  
Represented by its Vice Chairman and Managing Director,  
APIIC Towers, Plot No. CFC-1,IT Park,  
Manglagiri, Guntur - 522503**

**... Petitioner**

**And**

**Indu Projects Limited  
Represented through the Resolution Professional  
Mr. Anup Kumar Singh  
Ideal Plaza, S-405, 4<sup>th</sup> Floor,  
11/1 Sarat Bose Road, Kolkata - 700 020  
West Bengal, India.**

**M/s Lepakshi Knowledge Hub Ltd.,  
Sy.No. 35/2, 35/1, (Part), 1<sup>st</sup> Cross,  
Ananthapura Village, Singanaykanahalli,  
Yalahanka, Bengaluru,  
Karnataka - 500 064, India**

**M/s Earthin Projects Ltd.,  
Address: H.No. 1-1867(B) Velamapalem  
Chittor AP 517 640  
Represented by its Managing Director**

**... Respondents**

**Date of order : 05/07/2023**

**Coram:**

**Hon'ble Justice Mrs. Telaprolu Rajani, Member (Judicial)  
Hon'ble Shri Charan Singh, Member (Technical)**

**Parties / counsels present:**

For petitioner : Mr. P.H. Pannagasai, Advocate

For respondent: : Mr. V.V.S.N. Raju

**ORDER**

1. This application is filed by the Applicant, who is Andhra Pradesh Industrial Infrastructure Corporation Ltd. seeking to a) direct the Respondent No. 1 to exclude the land which was previously allotted to Respondent No. 2 in Chilamathur Mandal, AP by the GO A/APIIC from the Asset/Information Memorandum of the Corporate Debtor and the Liquidation Estate of Respondent No. 1/Corporate Debtor and further to restrain the Resolution Professional/Corporate Debtor from dealing with the subject lands in any manner including entering the land and b) to cancel and set aside the Resolution Process, in so far it relates to the subject lands and any Resolution Plan including the transfer of the said land and to effect such deletion in changed Resolution Plan also from Resolution Process carried out afresh in terms of the order passed by this Tribunal, to the extent the same included the subject assets and to pass any necessary orders in the interest of justice.

2. It can be seen that though the application is captioned as Intervention Petition, no prayer for intervention is made. At the time of hearing, the applicant did not press for relief against the 3<sup>rd</sup> Respondent and the application filed against the Respondent No.3 is dismissed by this Tribunal by virtue of order dated 22/06/2023. The applicant is not a party in I.A. No. 305 of 2023, but, it seeks relief with respect to I.A. No. 305 of 2023, which is not sustainable.

2.1 We do not opine that traversing to the entire facts is required as the relevant facts would be discussed during the process of adjudicating the issues. The Government authorities allotted some land to the Respondent No. 2 for specific purpose of project implementation within the prescribed

period under SEZ. Even though NOC documents dated 05/09/2009 and 12/05/2020 were withdrawn by the applicant, following the breach of the terms and conditions of MoA, the Government of AP cancelled the allotment of subject assets to Respondent No. 2 vide order in GO MS 44 dated 13/02/2014 and the same was challenged by the Respondent No. 2 in a WP No. 5028 of 2014, which is pending for disposal before the Hon'ble High Court.

3. The applicant is trying to mislead the Tribunal by contending that Respondent No. 1 is trying to sell those lands. From the argument of the Resolution Professional and the categorical statement made before the Tribunal that Respondent No. 1 is not trying to sell the lands which are the subject matter of I.A. No. 30 of 2023, we do not find any reason to allow the prayer of the applicant to implead it in I.A. No. 305 of 2023, which is not a prayer in the application. The application itself has not properly formatted and, hence, we dismiss the application.

4. Accordingly, I.A. No. 30 of 2023 in IA No. 305/2023 in CP(IB) No. 372/7/Hyd/2018 is dismissed and stands disposed of.

Sd/-

**CHARAN SINGH**  
**MEMBER (TECHNICAL)**

Sd/-

**JUSTICE TELAPROLU RAJANI**  
**MEMBER (JUDICIAL)**

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