



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

Item No. 107
IA-779/2023
In
IB-717(ND)/2019

IN THE MATTER OF:

M/s. Oriental Bank of Commerce (Marge with PNB)**FINANCIAL CREDITOR**

Vs.

M/s. Sidhartha Buildhome Pvt. Ltd.**CORPORATE DEBTOR**

SECTION

U/s 7 of IBC, 2016

Order Pronounced on 13.07.2023

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant :

For the Respondent :

ORDER

Order pronounced in open court vide separate sheets. IA-779/2023
is **dismissed as infructuous.**

-SD-
(ATUL CHATURVEDI)
MEMBER (TECHNICAL)

-SD-
(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)

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

IA-779/2023

In

IB-717(ND)/2019

Order under Section 60(5) of the Insolvency and Bankruptcy Code, 2016
read with Rule 11 of National Company Law Tribunal Rules, 2016.

IN THE MATTER OF:

ORIENTAL BANK OF COMMERCE (MERGE WITH PNB)

..... Financial Creditor

VERSUS

M/s. SIDHARTHA BUILDHOME PVT. LTD.

..... Corporate Debtor

AND IN THE MATTER OF:

Mr. VIJAY SAINI & ORS.

..... Applicants

VERSUS

SHRI DEVENDER SINGH & ANR.

..... Respondents

Order Pronounced On: 13.07.2023

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)

APPEARANCES:

For the Applicants :

For the Respondents :

ORDER

PER: BACHU VENKAT BALARAM DAS, MEMBER (JUDICIAL)

1. This is an application filed by the class of Financial
Creditors/Homebuyers represented herein by Applicant No. 1 in

Mr. Vijay Saini & Ors. vs. Shri Devender Singh & Anr.

IA-779/2023 In (IB) – 717(ND)/2019

Date of Order: 13.07.2023



favour of whom an authority letter by e-mail dated 24-27.01.2023 been drawn, filed under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 read with Rule 11 of National Company Law Tribunal Rules, 2016 for seeking following prayers: **(i)** Extend time period for completion of CIRP by 90 days from the date of order passed by this Ld. Tribunal, as the CIRP ended on 27.01.2023, **(ii)** Replace the Respondent No. 1 as Resolution Professional with another Resolution Professional as deem fit by the Ld. Adjudicating Authority in present CIRP **(iii)** Replace the Respondent No. 2 as Authorized Representative with another Authorized Representative as deemed fit by the Ld. Adjudicating Authority in present CIRP and **(iv)** to direct newly appointed Resolution professional to place only viable resolution plan of Respondent No. 3 before the Committee of Creditors (CoC) for re-consideration and re-voting and under relevant provisions of the Code along with Regulations, 2016, **(v)** Any other relief/direction/order which this Learned Adjudicating Authority may deem fit in the facts and circumstances of the present case.

2. In view of the order dated 24.05.2023 passed in IA-753/2023 whereby this Adjudicating Authority allowed Section 12A application and permitted the Applicant to withdraw the main matter. Hence, the present IA-779/2023 **dismissed as infructuous.**

-SD-

(ATUL CHATURVEDI)
MEMBER (TECHNICAL)

-SD-

(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)