

In the National Company Law Tribunal, Jaipur

Item No. 108

IA No. 319/JPR/2019

IA No. 291/JPR/2019

IA No. 283/JPR/2019

IB- 83/7/JPR/2018

UNDER SECTION 7 OF IBC, 2016

In the matter of:

Khozim Yusuf Nagarwala

.....Applicant/Petitioners

VS.

M/s Raj Buildhome Pvt. Ltd.

.....Respondent

Order delivered on 12.12.2019

**Coram: SH. P. S. N. PRASAD, HON'BLE JUDICIAL MEMBER
SH. RAGHU NAYYAR, HON'BLE TECHNICAL MEMBER**

For Petitioner (s) : Amol Vyas, Adv.

**For Respondent(s) : Akanksha Noval for Financial Creditor
Prabhansh Sharma, Adv.
Vikas Jain, Adv.**

ORDER

Heard the submissions made by the counsels for all the parties. Counsel for the Resolution Professional has made available uncertified copy of the judgement dated 11.12.2019 passed by Hon'ble NCLAT in CA No. 558/2019 and arising out of order dated 03.05.2019 passed by Adjudicating Authority of NCLT Bench, Jaipur, wherein vide para 18 the NCLAT has stated "We conclude that there is no default for the aforesaid reasons, we allow the appeal, quash and set aside the impugned order dated 03.05.2019 and the Corporate Debtor is released from rigour of " Corporate Insolvency Resolution Process, etc." Further, vide para 19





it is observed that the CIRP costs have to be borne by the Financial Creditor. The counsel for the Financial Creditor may take note of this order and invite the client's attention to the same and ensure compliance of the same. The IRP/RP is also directed to address a letter regarding his costs in the matter. The matter stands dismissed in light of judgement of the Hon'ble NCLAT dated 11.12.2019.

Sd-

(RAGHU NAYYAR)
TECHNICAL MEMBER

Sd-

(P. S. N. PRASAD)
JUDICIAL MEMBER