



**NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT-II)**

**IA. 2001/ND/2022**

**IN**

**Company Petition No. (IB)-945(ND)/2019**

**IN THE MATTER OF:**

**Habib Sheikh and Ors.**

**...Respondent/Financial**

**Creditor**

**Versus**

**M/s. Samiah International Builders Limited**

**...Respondent/Corporate Debtor**

**AND IN THE MATTER OF IA. 2001/ND/2022:**

**Samiah International Builders Limited**

(Formerly known as Samiah International Builders Pvt. Ltd.)

Through its Authorized Signatory

Having its registered office at:  
G-74, First Floor, Right Side,  
Shaheen Bagh, Abul Fazal Enclave,  
Part-II, Jamia Nagar, New Delhi -110025

**...Applicant/Corporate Debtor**

**1. Habib Sheikh**

S/o Mr. Mohammed Hasan  
R/o House No. 115, 3rd Floor,  
Amritpuri B, Street 13,  
East of Kailash, New Delhi-11006

**...Respondent No. 1**


**2. Mr. Hemant Mehendiratta**

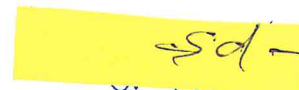
S/o Mr. Harbans Lal  
R/o Flat No B-412, Khushboo Apartment,  
Plot No. 11, Sector-pi, Greater Noida,  
Kasana, Gautam Buddha Nagar, UP-20131

**...Respondent No.2**

**3. Mrs. Sonia Narula**

W/o Mr. Hemant Mehendiratta  
R/o Flat No B-412, Khushboo Apartment,  
Plot No. 11, Sector-pi, Greater Noida, Kasana,

IA.2001/ND/2022 in (IB)-945/(ND)/2019   
Habib Sheikh and Ors. Vs Samiah International Builders Ltd.





Gautam Buddha Nagar, 1M-201310

...Respondent No. 3

4. **Mrs. Ankita Singh**  
W/o Mr. Shubhank Singh  
R/o 504, Pyramid City-6,  
Tower A Building 1, BESA Nagpur

...Respondent No. 4

5. **Mr. Sharat Kumar Dutta**  
S/o (Late) Sh. Shib Chandra Dutta  
R/o X-41, Ground Floor, Green Park Main  
New Delhi-110016

...Respondent No. 5

6. **Mrs. Charu Srivastava**  
W/o Mr. Umang Srivastava  
R/o G-11, II Floor, Green Park Extns.  
New Delhi-110016

...Respondent No. 6

7. **Mr. B.L Parsaria**  
S/o (Late) Sh. Heera Lal Parsaria  
R/o YB 400 Anandam NTPC SAS Ltd.  
Pocket-6. Greater Noida

...Respondent No. 7

8. **Mr. Pankaj Parsaria**  
S/o Sh. B.L Parsaria  
R/o YB 400 Anandam NTPC SAS Ltd.  
Pocket-6. Greater Noida

...Respondent No. 8

9. **Mr. Bhairab Bose**  
S/o (Late) Mr. Pritish Bose  
R/o J-201, Rail Vihar, Alpha-1,  
Greater Noida Gautam Buddh Nagar,  
Uttar Pradesh-201310

...Respondent No. 9

10. **Mrs. Jhumur Bose**  
W/o (Late) Mr. Pritish Bose  
R/o J-201, Rail Vihar, Alpha-1,  
Greater Noida Gautam Buddh Nagar,  
Uttar Pradesh-201310

...Respondent No. 10

11. **Mr. Girish Kumar**  
S/o (Late) Sh. D.L Kashyap  
R/o 1/9697, Pratap Pura,  
Gali No. 2/7, West Rohtash Nagar,  
Shahdara, Delhi-110032

...Respondent No. 11

12. **Mrs. Prachi**  
W/o Mr. Girish Kumar  
R/o 1/9697, Pratap Pura,  
Gali No. 2/7, West Rohtash Nagar,





Shandara, Delhi-110032

...Respondent No. 12

**13. Mr. Nitya Nagaich**

S/o Mr. Vijay Sharma  
R/o 1454 Park View Apartments,  
Sector 29 Noida, U.P-201301

...Respondent No. 13

**14. Mrs. Priyanka Anand**

W/o Mr. Nitya Nagaich  
R/o 1454 Park View Apartments,  
Sector 29 Noida, U.P-20130

...Respondent No. 14

**15. Mr. Karan Bhatia**

S/o Mr. Yogesh Kumar Bhatia  
R/o 102, Kaveri block, Anandashray Society  
Sector-PHI 2, Near Jalvayu Vihar  
Greater Noida, U.P- 201315

...Respondent No. 15

**16. Mrs. S.L Bhatia**

W/o Mr. Yogesh Kumar Bhatia  
R/o 102, Kaveri block, Anandashray Society  
Sector-PHI 2, Near Jalvayu Vihar  
Greater Noida, U.P- 201315

...Respondent No. 16

**17. Mr. Vishal Gupta**

S/o Mr. Ravinder Kumar Gupta  
R/o 1A-607, AWHO Grujinder Vihar,  
Sector-chi-1, Greater Noida-201310

...Respondent No. 17

**18. Mrs. Sangeeta Gupta**

W/o Mr. Vishal Gupta  
R/o 1A-607, AWHO Grujinder Vihar,  
Sector-chi-1 Greater Noida-201310

...Respondent No. 18

**Versus**

**Order Delivered on: 20.09.2022**

**SECTION: Section 60(5) of IBC 2016**

**CORAM :**

**SH. DHARMINDER SINGH, HON'BLE MEMBER (JUDICIAL)**

**SH. L.N. GUPTA, HON'BLE MEMBER (TECHNICAL)**

IA.2001/ND/2022 in (IB)-945/(ND)/2019

Habib Sheikh and Ors. Vs Samiah International Builders Ltd.



**PRESENT:**

**For the Respondent** : Adv. Piyush Singh, Adv. Adithya Ramani,  
Adv. Riddhi Jain  
**For the Respondent** : Adv. Prashant Katara

**ORDER**


**PER SHRI. L.N. GUPTA, MEMBER (T)**

The present IA No. 2001 of 2022 has been filed by M/s Samaih International Builders Limited (hereinafter referred to as the '**Applicant/Corporate Debtor**') under Rule 60(5) read with Regulations 39 of IBBI (Liquidation Process) 2016, read with Rule 11 of the NCLT Rules, 2016 seeking the following reliefs :


- "a) *Dismissing the matter in question, being not maintainable/barred as per Section 7 of the Insolvency and Bankruptcy Code, 2016.*
- b) *Issue of any other order or directions which this Hon'ble Tribunal may deem fit in the facts and circumstances of the present case."*

2. The necessity of going into the merits of this Application is obviated in view of the IB-945/ND/2019 dismissed vide separate order dated 20.09.2022.

3. **Accordingly, the IA-2001/ND/2022 is disposed of, being infructuous.**



**(L. N. GUPTA)  
MEMBER (T)**



**(DHARMINDER SINGH)  
MEMBER (J)**