

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 10
(IB)-48(PB)/2020

IN THE MATTER OF:

Mrs. Pallavi Gupta Thakur & Mr. Petitioner/Applicant
Padam Thakur & Ors
v.
Jaipuria Buildcon Pvt Ltd. Respondent

Order Under Section 7 of Insolvency & Bankruptcy Code (IBC), 2016
(CIRP)

Order delivered on 02.05.2023

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

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

PRESENT:

For the Applicant : Adv. Mohit Nandwani, Adv. Neeraj Sharma,
Adv. Aman Sharma
For the Respondent : Adv. Amit Dhall, Adv. Rajat Srivastava, Adv.
Anurag Sharma
For RP : Adv. Shivanshu Kumar, Mr. Vikas Kumar
Garg, RP

ORDER

IA-785/2023, IA-786/2023, IA-787/2023, IA-1232/2023, IA-1237/2023
& IA-1479/2023,

Ld. Counsel appearing for the RP undertakes to examine these applications filed by the homebuyers, in terms of the judgment of Hon'ble NCLAT in the matter of "Puneet Kaur Vs. KV Developers Limited" to examine their claims on merits with reference to the books and accounts of the Corporate Debtor. However, he will ensure that no frivolous claims are admitted. The delay in filing of the claims is condoned.

With this, the abovementioned IAs stands disposed of.

IA-4972/2022

No one is present on repeated calls. From perusal of the order sheet, we notice that on the last date of hearing i.e. 17.04.2023 also, no one was present. In view of above, this **IA stands Dismissed** for want of prosecution.

IA-6299/2022

This application has been filed by the RP. After some arguments, Ld. Counsel for the RP seeks permission to withdraw the present application with liberty to file separate application for exclusion of time.

In view of the above, IA-6299/2022 is dismissed as withdrawn.

IA-6316/2022, IA-52/2023, IA-574/2023, IA-598/2023, & IA-1229/2023

Respondents are directed to file their response within two weeks. List this application after pleadings are complete. List the IA on 01.08.2023.

IA-6168/2022

In this application, notice was issued to the respondents on 17.04.2022. Affidavit of service is on record. Despite notice, no one appeared on behalf of the respondents nor have they filed their reply. Accordingly, they are proceeded ex-parte.

In terms of the averments made in the application and the contention espoused by the Ld. Counsel for the Applicant, we hereby allow the prayers made in the application i.e. direct the Respondent No. 3 Insolvency and Bankruptcy Board of India (IBBI) to initiate proceedings against Respondent no. 1-2 under relevant provisions of the Code including under Section 70 before the Special Court (established under Chapter XXVIII of the Companies Act, 2013).

IA-1743/2023

Ld. Counsel for the Applicant is directed to file hard copy of the Application. One more copy of the Application to be served upon the Ld. Counsel for the RP. List all the pending applications on 26.07.2023.

**-Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT**

**-Sd/-
(L. N. GUPTA)
MEMBER (TECHNICAL)**

02.05.2023
Lalit