

**IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI (COURT III)**

IA-3968/2021
In
(IB)-1771(ND)2018

Under Section 60(5) of the Insolvency and Bankruptcy Code, 2016

IN THE MATTER OF:

Ms. Priyanshi Arora

..... **Financial Creditor**

Versus

M/s. Dream Procon Pvt. Ltd.

..... **Corporate Debtor**

AND IN THE MATTER OF:

Mr. Kapish Gupta

.....**Applicant**

Versus

Mr. Nilesh Sharma

Resolution Professional of M/s. Dream Procon Pvt. Ltd.

.....**Respondent**

Pronounced on: 11.08.2023

CORAM:

**SHRI BACHU VENKAT BALARAM DAS
MEMBER (JUDICIAL)**

**SHRI ATUL CHATURVEDI
MEMBER (TECHNICAL)**

PRESENT:

For the Applicant :

For the Respondent : Ms. Varsha Banerjee, Mr. Karan Grover, Advs
along with Mr. Nilesh Sharma,
Resolution Professional.

ORDER

PER: SHRI BACHU VENKAT BALARAM DAS, MEMBER (JUDICIAL)

1. The present application has been filed by one Mr. Kapish Gupta, seeking directions to the Resolution Professional to admit the claim of the Applicant.
2. It is an admitted position that the Committee of Creditors in its 11th meeting held on 07.05.2021 has approved the Resolution Plan by

90.66% votes. The Applicant herein filed the claim on 31.03.2021 after the approval of the Resolution Plan by the Committee of Creditors.

3. In the judgment passed by Hon'ble NCLAT in the case of **Puneet Kaur versus M/s. K.V. Developers Private Limited** Company Appeal (AT) (Insolvency) No. 390 of 2022 dated 01.06.2022, it has been held that claim filed after the approval of the Plan by the Committee of Creditors cannot be admitted.
4. In view of the above position of law as laid down by the Hon'ble NCLAT in the case of Puneet Kaur (supra), the claim of the present Applicant which has been filed belatedly after the approval of the Plan by the Committee of Creditors, cannot be entertained or admitted.
5. It may further be noted that the Resolution Professional upon due verification of the Books of Account of the Corporate Debtor duly reflected the unit for which the present belated claim has been filed in the list of flats, but the Applicant did not file any claim.
6. IA is devoid of any merit and **rejected**.

Sd/-

**(ATUL CHATURVEDI)
MEMBER (TECHNICAL)**

Sd/-

**(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)**