

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT – II)

Item No. 215
(IB)-2581(ND)2019
IA-4415/2023, IA1816/2023
IA 3302/2023, IA5974/2023

IN THE MATTER OF:

M/s. Jakson Engineers Limited

... Applicant/Petitioner

Versus

M/s. UM Green Lighting Pvt. Ltd.

... Respondent

Under Section: 9 of IBC, 2016

Order delivered on 08.01.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Adv. V M Kannan & Khubaib Shakeel in IA 4415 of 2023 Adv. Tushar Kumar, Adv. Varnika Bajaj, & Adv. Junaid Qureshi,

For the Respondent : Adv. Rajiv Singh for R-3,4,5 in IA No.3302/2023 Adv. V M Kannan & Khubaib Shakeel R-No.2 in IA 3302 of 2023, Adv. Pratiksha Dwivedi for R-1 IA No. 3302 of 2023

For the RP : Adv. Akshay Goel, Adv. Pratiksha Bansal along with Rajiv Bhatnagar-R in person

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

IA-3302/2023: Ld. Counsel appearing for the Applicant submitted that the Notice qua IA-3302/2023 could not be served upon him at his Residential Address which is BE-242, Second Floor, Street No. 5 Hari Nagar, New Delhi, but was served only at UM House, Plot No. 35 B, Sector 44, Gurgaon i.e. at the premises of the CD, UM Green Lighting Private Ltd. In view of the plea raised in the application the Order dated 05.04.2023 passed in IA 3302/2023 is modified to the extent that the proceeding set ex-parte qua Respondent No. 2 would no longer be ex-parte qua him and the reply filed by the said Respondent to IA 3302/2023 would be taken on record.

IA-1816/2023: As prayed Ld. Counsel appearing for the Applicant, the IA is dismissed as withdrawn with liberty to file a fresh application in accordance with law.

IA-4415/2023: As prayed by Ld. Counsel Appearing for the applicant one week time is granted for filing Rejoinder to the reply filed by the Respondent.

In the meantime, it would be open also to Respondent No. 1 to file his reply.

IA-5974/2023: As prayed by Ld. Counsel appearing for the RP, hearing is deferred.

List the matter on 31.01.2024.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-
(ASHOK KUMAR BHARDWAJ)
MEMBER (J)