

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 112

IA Nos. 2982/2023, 37/2024
and
CP (IB) No. 271/Chd/Chd/2020

IN THE MATTER OF:

C S Modi & Co. Pvt. Ltd.

...Petitioner

Vs.

Golden Promotions & Developers Pvt Ltd.

...Respondent

Under Section: 9, 60(5), IBC 2016

Order delivered on 08.05.2024

CORAM:

SH. UMESH KUMAR SHUKLA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner in main CP:
and applicant in IA No. 37/2024 and
respondent in IA No. 2982/2024

Ms. Nitika Sharma, Advocate

For the Respondent in main CP:
and applicant in IA No. 2982/2023
and respondent in IA No. 37/2024

Mr. Parunjeet Singh, Advocate

ORDER

IA No. 2982/2023

The present application has been filed for setting aside the ex parte order dated 25.05.2023, it is stated by Ld. Counsel for the applicant that the respondent proceeded ex parte due to non-appearance on the earlier three dates of hearing. Be that as it may, since the reply of the main petition has been filed in the present petition so in the interest of justice the present application is allowed subject to the cost of Rs. 10,000/- to be deposited in Prime Minister's National Relief Fund within two days. It is stated

by Ld. Counsel for the respondent that the reply to this application has been e-filed. Copy of the reply has been received by Ld. Counsel for the applicant as stated by him. Let the hard copy of the same be filed during the course of day in the Registry Thus, ***IA No. 2982/2023 is allowed and disposed of accordingly.***

IA No. 37/2024

The present application has been filed under Section 60(5) of the IBC, 2016 read with Rule 11 of NCLT Rules, 2016, and Section 340 and Section 195 of the Code of Criminal Procedure, 1973. Ld. Counsel for the respondent is ready to accept the notice and he has received the copy of the application as stated by him. He is directed to file the reply within two weeks with a copy in advance to the counsel opposite. Rejoinder, if any, be filed within one week with a copy in advance to the counsel opposite. Ld. Counsels for the parties are directed to file short written submissions at least one week before the next date of hearing by exchanging copies with each other. List the matter for arguments on 04.07.2024.

CP (IB) No. 271/Chd/Chd/2020

It is stated by Ld. Counsel for the Petitioner that there is no need for filing the rejoinder. List on 04.07.2024.

Sd/-

**(UMESH KUMAR SHUKLA)
MEMBER (T)**

Preeti

Sd/-

**(HARNAM SINGH THAKUR)
MEMBER (J)**