

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 107

CP (CAA) No. 42/Chd/Hry/2023
(2nd Motion)

IN THE MATTER OF:-

Chamundeshwari Builders Pvt. Ltd. ...

Transferor Company

And

DLF Garden City Indore Pvt Ltd. ...

Transferee Company

Under Section: 230-232, CA 2013

Order delivered on 12.07.2024

CORAM:

**SHRI. UMESH KUMAR SHUKLA,
HON’BLE MEMBER (T)**

**SHRI. HARNAM SINGH THAKUR,
HON’BLE MEMBER (J)**

PRESENT:

**For the Petitioner
Companies**

: Dr. UK Chaudhary, Senior Advocate with
Ms. Manisha Chaudhary, Mr. Mansumyer
Singh, Ms. Manisha Sharma & Mr. Pulkit Goyal,
Advocates

**For the Income Tax
Department**

: Mr. Yogesh Putney, Senior Standing Counsel

For the RD

: Mr. Vineet Khatri, Company Prosecutor

**For the Haryana
Real Estate**

: Ms. Monika, Law Associate

**Regulatory Authority,
Panchkula**

ORDER

Report of Competition Commission of India has been filed by the Advisor, CCI vide diary NO.10 dated 05.04.2024 by post, report of the Official Liquidator filed vide diary NO.03428/1 dated 24.04.2024, report of Regional Director filed vide diary No.03428/3 dated 03.05.2024, report of Real Estate Regulatory Authority, RERA, New Delhi filed vide Special Diary No.77 dated 06.05.2024 by post, report of Deputy Commissioner of Income Tax, New Delhi vide diary NO.95 dated 13.05.2024 by post and report of Income Tax

July 12, 2024
Mamta

Department filed Diary No.03428/6 dated 10.07.2024, all are taken on record. A date is requested by the learned counsel for the Haryana Real Estate Regulatory Authority, Panchkula on the ground that reply is stated to be ready, but the same has not registered with the diary number. She is directed to report in the Registry and get a proper diary number from the Registry.

Affidavit of service have been filed vide diary NO.03428/2 dated 01.05.2024 and affidavit by the transferee Company filed vide diary NO.03428/5 dated 11.07.2024. The same are taken on record. While examining the affidavit of services, it transpired that the notices has been issued to the Authorities, but the tracking report is not there, therefore, learned counsel for the petitioner is directed to place to record the tracking report. Learned counsel for the petitioner-companies is directed to follow up the report of RERA, Punjab and RERA, Gurugram, which is still awaited and also directed to furnish affidavit of service. Let the same be done within two weeks.

Let this matter be listed on 09.08.2024.

Sd/-
(UMESH KUMAR SHUKLA)
HON'BLE MEMBER (T)

Sd/-
(HARNAM SINGH THAKUR)
HON'BLE MEMBER (J)