

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III**

Item No. 319

IA-3414/2023 IA-3423/2023 IA-2836/2024 IA-2938/2024 IA-2565/2024
IA-118/2024 IA-440/2024 IA-2165/2024 IA-4863/2023

In
IB-113(ND)/2021

IN THE MATTER OF:

Vistra ITCL (India) Ltd

.....APPLICANT/PETITIONER

Vs

Ansal urban Condominiums Pvt. Ltd.

.....RESPONDENT

SECTION

U/s 7 of IBC, 2016

Order delivered on 02.07.2024

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Abhishek Anand, Mr. Aujoy Datta,
Ms. Nishtha Khurana, Mr. Vibhor Kapoor,
Ms. Mahima Shekhawat, Mr. Asher Revi Sob,
Advocates in IA-118, 2565, 440.

For the Respondent

: Ms. Manmeet Kaur, Mr. Gurtejpal Singh,
Ms. Aashna Arora Ms. Meghna Mishra, Advocates
for Respondent No. 1 in I.A. No. 2938/2024.
Mr. Sujit Kumar Singh, Adv in IA-3414/2023.
Mr. Abhishek Anand, Mr. Sujoy Datta,
Ms. Nishtha Khurana, Mr. Aarsreya Sharda,
Advs for R-2, 3, 5, 6 & 7 in IA-3414/2023
& R-2 & 3 in IA-2938/2024 and R-2 in IA-3423/2023.
Mr. Sidhant Kr. Mr. Akshit Mago, Ms. Ekssha Kashyap,
Advocates in IA-440/2024.

For the SRA

: Ms. Anuja Pethia with Mr. Rishabh Govila, Advs.

For the RP

: Mr. Sameer Rastogi, Mr. Kartikeya, Mr. Prabhas Bajaj,
Mr. Shivanshu Kumar, Adv. Tyagi, Adv. Rishav Rai a/w
Mr. Rajesh Ramnani, RP.

HYBRID HEARING (PHYSICAL & VC)

ORDER

IA-3414/2023:-

This application has been filed by the Resolution Professional under Section 66 of IBC, 2016.

Mr. Abhishek Anand, Learned Counsel appearing for the Respondent Nos. 2, 3, 5, 6 and 7 has submitted that in view of the judgment of the Hon'ble Supreme Court, in the case of "*Gluckrich Capital Pvt. Ltd. vs. The State of West Bengal and*

Ors.” an application under Section 66 cannot be filed against third parties. Further, the Resolution Professional has not made the Suspended Directors as parties in this application. On the contrary, Learned Counsel appearing for the Resolution Professional submitted that the ratio of Gluckrich judgment in case will not apply to the present case as there was no Board of Directors on the date of commencement of CIRP in case of the Corporate Debtor.

List the matter on **02.08.2024** for arguments.

IA-3423/2023:-

The parties are directed to complete the pleadings, if not already completed.

List the matter on **02.08.2024**.

IA-2836/2024 IA-2938/2024 IA-2165/2024:-

The parties are directed to complete the pleadings, if not already completed.

List the matter on **19.07.2024** for arguments.

IA-2565/2024:-

One week time granted to the Applicant for filing rejoinder affidavit.

List the matter on **11.07.2024** for arguments.

IA-118/2024 IA-440/2024 IA-4863/2023:-

List the matter on **11.07.2024** for arguments.

Sd/-

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

Sd/-

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