

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

ITEM No. 3
(IB)-281(PB)/2019

IN THE MATTER OF:

BDR Finvest Pvt. Ltd.

.... Applicant/petitioner

Vs.

Ninex Developers Ltd.

.... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 09.07.2019

Coram:

DR. DEEPTI MUKESH

HON'BLE MEMBER (JUDICIAL)

SH. S. K. MOHAPATRA

HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Sanjay Goswami, Adv.

ORDER

CA-1245(PB)/2019:-

The present application has been filed by the applicant seeking revival of the CP No. (IB)-281(PB)/2019. Learned counsel for the applicant states that amicable settlement was arrived at between the parties in the application filed under Section 7 of the Code, 2016. The post-dated cheques were issued against the payment of the claim of the applicant. Considering the same, the application was disposed of as withdrawn with liberty to file appropriate application in case the settlement is violated. Learned counsel further states that in compliance of the settlement, two post-dated cheques for a sum of Rs. 4.20 crores have been dishonoured. In that regard a copy of the bank memo has also been annexed with the present application.





Considering the submissions made by the learned counsel and the documents annexed with the application, prayer is allowed. CP No. (IB)-281(PB)/2019 filed under Section 7 of the Code, 2016 is revived to its original file.

The application stands disposed of.

(IB)-281(PB)/2019:-

Notice to show cause as to why the Corporate Insolvency Resolution Process be not initiated against the corporate debtor-respondent for 25.07.2019.

Process dasti as well. Liberty is also granted to serve through other processes including e-mail.

List the matter on 25.07.2019.



**(S. K. MOHAPATRA)
MEMBER (TECHNICAL)**



**(Dr. DEEPTI MUKESH)
MEMBER (JUDICIAL)**