

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 29
(IB)-22(PB)/2018

IN THE MATTER OF:

Daimler Financial Services Pvt. Ltd.
Vs
Value Infracon India Pvt. Ltd.

.... Petitioner
.... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016 CIRP

Order delivered on 09.07.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Ms. Shaswati Parhi, Adv. In RA-63/2024, RA-64/2024
Mr. Piyush Singh, Mr. Vivek Kumar, Mr. Jayant Upadhyay, Advs. in IA-6098/2023
Mr. Mayank Mittal, Mr. Suryansh Tripathi, Advs. in IA-5053/2023, IA-589/2024, New IA-3399/2024
Mr. Vaibhav Tyagi, Adv. in IA-1884/2022
Mr. Shashank Agarwal, Adv. In IA-4407/2023 & IA-4410/2023
Mr. Ritesh Singh, Mr. Ankush Gupta, Advs. in RA No. 53 of 2023
Mr. Mohd. Farhan Khan, Adv. (Appearance not marked) in IA-5545/2022
For the SRA : Mr. Neeraj Kr Gupta, Adv.

ORDER

IA-1884/2022

Ld. Counsel Mr. Neeraj Kumar Gupta appeared through VC on behalf of the SRA and undertook to file the reply before the next date of hearing.

At request and with consent of the parties, list the matter for a physical hearing **on 10.09.2024.**

IA-5545/2022

Ld. Counsel Mr. Mohd. Farhan Khan appeared through VC on behalf of the Applicant.

Ld. Counsel Mr. Neeraj Kumar Gupta appeared through VC on behalf of the SRA and is directed to file the reply before the next date of hearing.

At request and with consent of the parties, list the matter for a physical hearing **on 10.09.2024.**

IA-4407/2023

Ld. Counsel for the Applicant appeared and stated that he will file the Rejoinder to the reply. He seeks time to upload the same. However, it is observed that the Rejoinder has been filed and uploaded on the DMS portal by the Applicants on 04.07.2024.

At request and with consent of the parties, list the matter for a physical hearing **on 10.09.2024.**

IA-4410/2023

Ld. Counsel Mr. Neeraj Kumar Gupta appeared through VC on behalf of the SRA and is directed to file the reply before the next date of hearing.

At request and with consent of the parties, list the matter for a physical hearing **on 10.09.2024.**

RA-53/2023

Let the reply be filed before the next date of hearing.

At request and with consent of the parties, list the matter for a physical hearing **on 10.09.2024.**

IA-6098/2023

Ld. Counsel Mr. Neeraj Kumar Gupta appeared through VC on behalf of the SRA and is directed to file the reply before the next date of hearing.

RA-63/2024

The prayer in RA-63/2024 is as follows:

- “(a) Allow the present application;*
- (b) Restore the IA No. 4796 of 2023 in CP (IB) No. 22 (PB) of 2018;*
- (c) Recall / Set aside the order dated 08.04.2024 passed by the Ld. NCLT, Principal Bench, dismissing IA No. 4796 of 2023 for non-prosecution in CP (IB) No. 22 (PB) of 2018;*
- (d) Pass any other order/order(s) as may be deemed fit and proper in the facts and circumstances of the said case.”*

Ld. Counsel Ms. Shaswati Parhi appeared on behalf of the Applicant. Since it is the first occasion, the breach is condoned.

Accordingly, the RA-63/2024 stands allowed. IA-4796/2023 is directed to be listed on 10.09.2024.

RA-64/2024

The prayer in RA-64/2024 is as follows:

- “(a) Allow the present application;*
- (b) Restore the IA No. 4795 of 2023 in CP (IB) No. 22 (PB) of 2018;*
- (c) Recall / Set aside the order dated 08.04.2024 passed by the Ld. NCLT, Principal Bench, dismissing IA No. 4795 of 2023 for non-prosecution in CP (IB) No. 22 (PB) of 2018;*
- (d) Pass any other order/order(s) as may be deemed fit and proper in the facts and circumstances of the said case.”*

Ld. Counsel Ms. Shaswati Parhi appeared on behalf of the Applicant. Since it is the first occasion, the breach is condoned.

Accordingly, the RA-64/2024 stands allowed. IA-4795/2023 is directed to be listed on 10.09.2024.

IA-5053/2023, IA-589/2024, New IA-3399/2024

At request and with consent of the parties, list the matter for a physical hearing on **10.09.2024**.

-sd-

(RAMALINGAM SUDHAKAR)
PRESIDENT

-sd-

(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)