

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 402
(IB)-129(PB)/2019

IN THE MATTER OF:

Gurpreet Singh

.... **APPLICANT / PETITIONER**

Vs

Indirapuram Habitat Centre Pvt. Ltd.

....

RESPONDENT

SECTION:

Under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 22.08.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

SH. S. K. MOHAPATRA
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Petitioner/Applicant: Mr. Raghavendra M. Bajaj, Adv. in (IB)-1320(PB)/2019 & (IB)-678(PB)/2019
Mr. Saurab Jain and Mr. Siddharth Jain, Advs. in (IB)-749(PB)/2019 & (IB)-304(PB)/2019
Mr. R.K. Gupta, Adv. in (IB)-353(PB)/2019
Mr. Dinesh Rastogi and Ms. Akshita Gupta, Advs. in (IB)-435(PB)/2019
Ms. Amrita Sarkar, Adv. in (IB)-438(PB)/2019
Mr. Gaurav Gupta, Adv. in (IB)-511(PB)/2019
Mr. Lokesh Bholra and Ms. Harshita Agarwal, Advs. in (IB)-1215(PB)/2018
Ms. Khushboo Aggarwal, Adv. in (IB)-936(PB)/2019
Mr. Pawan Kuwar Roy, Adv. in (IB)-1209(PB)/2019
Mr. Rishi Kapoor & Mr. Rachit Khatri, Advs. in (IB)-1274(PB)/2019
Mr. Anuj Kumar and Mr. Vikram Gulliya, Advs. in (IB)-1644(PB)/2019
For the Respondent: Mr. Ashotosh Gupta, Mr. Gaurav Rana, Mr. Abhishek Aggarwal, Advs.

ORDER

This order shall dispose of (IB)-129(PB)/2019, (IB)-1320(PB)/2018, (IB)-749(PB)/2019, (IB)-763(PB)/2019, (IB)-764(PB)/2019, (IB)-766(PB)/2019, (IB)-304(PB)/2019, (IB)-353(PB)/2019, (IB)-435(PB)/2019, (IB)-438(PB)/2019, (IB)-511(PB)/2019, (IB)-553(PB)/2019, (IB)-554(PB)/2019, (IB)-581(PB)/2019, (IB)-675(PB)/2019, (IB)-676(PB)/2019, (IB)-726(PB)/2019, (IB)-727(PB)/2019, (IB)-1215(PB)/2018, (IB)-



936(PB)/2019, (IB)-1170(PB)/2019, (IB)-1209(PB)/2019, (IB)-
1210(PB)/2019, (IB)-1247(PB)/2019, (IB)-1398(PB)/2019, (IB)-
1597(PB)/2019, (IB)-1598(PB)/2019, (IB)-678(PB)/2019 & (IB)-
1644(PB)/2019.

2. The necessity of going into the merit of the claim made by the petitioners in above mentioned petitions is obviated because in respect of the Corporate Debtor we have admitted another petition filed under Section 7 of the Insolvency and Bankruptcy Code, 2016 namely Diamond Traexim Private Limited v. Indirapuram Habitat Centre Private Limited, [(IB) - 1397(PB)/2019] vide a separate order pronounced today. As per the provisions of Section 11 of the Code, 2016 another Corporate Insolvency Process cannot be initiated against a corporate debtor that is undergoing a corporate insolvency resolution process. However, it is needless to add that the petitioners would be entitled to file their claim before the Insolvency Professional namely Mr. Pawan Kumar Goyal with the address 304 D R Chamber, 12/56 D B Gupta Road, Karol Bagh, New Delhi -110005, email id - ca.pawangoyal@gmail.in, Registration number is IBBI/IPA-001/IP-P00875/2011-18/11473 in accordance with law which shall be duly considered.

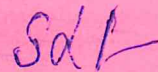
3. No document till date has been filed after 09.08.2019 post pronouncement of the judgment in the case of Pioneer Urban Land and Infrastructure Limited and Another v. Union of India & Ors. (Writ Petition (Civil) No. 43 of 2019) which may be considered relevant to any of the issue decided by Hon'ble the Supreme Court although 12 days' time is gone by.

4. The office is directed to communicate a copy of the order to the Interim Resolution Professional, Financial Creditors and the Corporate Debtor immediately.

5. The above mentioned petitions are disposed of in the above terms.



(M.M.KUMAR)
PRESIDENT



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)