

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH

ITEM No. 105
(IB)-800(PB)/2019

IN THE MATTER OF:

| | | |
|---|------|----------------------|
| Money Wise Financial Services Pvt. Ltd. | | Applicant/petitioner |
| v. | | |
| M/s. Indirapuram Habitat Centre Pvt. Ltd. | | Respondent |

Order under Section 7 of IBC, 2016

Order delivered on 12.06.2019

Coram:

Dr. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)

Sh. S. K. MOHAPATRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

| | |
|-------------------------|--|
| For the Petitioner(s):- | Ms. Swastika Kumari, Adv. |
| For the Respondent: | Mr. Ashotosh Gupta, Mr. Gaurav Rana, Mr. Abhishek Aggarwal, Advs. for Corporate Debtor. |

ORDER

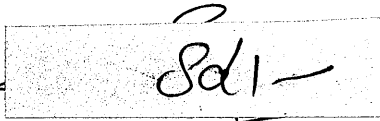
Learned counsel for the petitioner states that the present petition is not covered by the controversy raised before Hon'ble the Supreme Court wherein challenge has been made to the Constitutional validity of 'Explanation' inserted after clause (f) of Section 5(8) of the Code and other cognate provisions. According to the learned counsel, it is simply a case of advancing loan by the Oriental Bank of Commerce and therefore, is not covered by the aforesaid controversy pending before Hon'ble the Supreme Court.

Notice of the petition is issued and accepted by the counsel for the respondent. A copy of the paper book shall be furnished to him during the course of the day.

Reply be filed within ten days with a copy in advance to the counsel for the petitioner.

Rejoinder, if any, be filed within five days thereafter with a copy in advance to the counsel opposite.

List for arguments on 12.07.2019.



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

12.06.2019
Aarti Makker



(Dr. DEEPTI MUKESH)
MEMBER (JUDICIAL)