

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT - IV

ITEM No.406

IA/1036/PB/2022, IA/4242/PB/2021, IA/3799/ND/2022,
IA/3796/ND/2022, IA/3795/ND/2022, New IA/3918/ND/2022, New
IA/3905/ND/2022, New IA/3870/ND/2022 IN IB/284/(PB)/2021

IN THE MATTER OF:

Vivek Khanna & Ors.	...	Applicant
Versus		
Spaze Towers Pvt Ltd.	...	Respondent

Order under Section 7 Of Insolvency and Bankruptcy Code, 2016

Order delivered on 18.08.2022

Coram:

Mr. DHARMINDER SINGH,
HON'BLE MEMBER (J)

DR. BINOD KUMAR SINHA,
HON'BLE MEMBER (T)

PRESENT:

For the Applicant in I.A. No. 3799/2022 & I.A. No. 3870/2022 : Mr. Pushpendra S. Bhadoriya, Adv.

For the Applicant in I.A. No.3918 & I.A. No.3905 : Mr. Kumar Anurag Singh, Adv. Mr. Anando Mukherjee, Adv. & Mr. Zain A. Khan, Adv.

For the Applicant in IA 1036/2022 : Ms. Jyoti Taneja, Adv. Mr. Guneet Sidhu, Adv.

For the Applicant in IA No. 3795/2022 & IA No.3796/2022 : Mr. Aditya Sharda, Adv.

For the Respondent : Mr. Sumesh Dhawan, Adv., Mr. Vatsala Kak, Adv. & Mr. Shaurya Shyam, Adv.

ORDER

IA/3905/ND/2022 & IA/3918/ND/2022

The above said IAs have been filed on behalf of the applicant Nos.19 & 37 under Rule 11 of the National Company Law Tribunal Rules, 2016 seeking deletion on name from the main petition. The applicants stated that they do not want to pursue their part of claim.

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Accordingly, **IA/3905/ND/2022 & IA/3918/ND/2022** stand **allowed** and the name of the applicant Nos.19 & 37 stands deleted.

IA/3870/ND/2022

This application has been filed under Section 60(5) of the IBC Code, 2016, seeking intervention as a necessary party. Let the **notice** of the same be issued. Service be effected through all modes. Reply be filed within two weeks after receipt of the notice, failing which, the right to file reply stand closed and no further opportunity shall be granted. Rejoinder, if any, be filed within one week thereafter, with advance copy to the other side.

IA/3795/ND/2022, IA/3796/ND/2022, IA/3799/ND/2022 & IA/1036/PB/2022

Arguments on above said IAs heard. The same stand reserved for order.

So far as, the argument on the main petition is concerned, during the course of arguments, there is an apparent dispute with respect to the total number of units in the project. Therefore, it is appropriate to call the record of the DTP office, Panchkula as well as DTP, Gurgaon.

Accordingly, DTP Gurgaon is directed to bring the entire record before this Tribunal with respect to the project "Spaze Arrow", Sector-78 within 5 days before this Tribunal. Notice be issued to the DTP Gurugaon for bringing the entire record with one advance copy to this Tribunal. Same be sent to this Tribunal by email also.

Let the matter be fixed for hearing on remaining IAs i.e. IA/4242/PB/2021, IA/3870/ND/2022 & IB/284/(PB)/2021 on **26.08.2022**.

-Sd-

DR. BINOD KUMAR SINHA
MEMBER (TECHNICAL)

Amit

-Sd-

DHARMINDER SINGH
MEMBER (JUDICIAL)