

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

**Item No. 609
IB-835/ND/2020**

IN THE MATTER OF:

Mr. Sanjeev Aggarwal and Ors.

...PETITIONER

Vs.

M/s. Supertech Township Project Ltd.

...RESPONDENT

Section

U/s 7 of IBC Code, 2016

**Order delivered on 28.04.2022
(Virtual Hearing)**

Coram:

SHRI P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)

SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

For the Petitioner/Financial Creditor :Mr. Piyush Singh and Ms. Aditi Sinha, Advocate.

For the Respondent/Corporate Debtor :Mr. Abhijeet Sinha, Advocate along with Mr. Rishi Kapoor, Advocate Mr. Satish Rai, Advocate, Mr. Akhil Shankhwar, Advocate and Mr. Yatin Dev, Advocate.

ORDER

IA/5321/2020

This is an application under section 60(5) of the IB Code 2016 as amended till date read with Rule 11 of NCLT 2016 on behalf of the Applicant seeking dismissal of the Company Petition bearing IB-835/ND/2020 titled as "Sanjay Aggarwal and Ors. Vs. Supertech Township Project Ltd." on account of incomplete application in terms of Section 7(2), 7(3) and prescribed form therein along with ancillary reliefs thereof accompanied by the supporting affidavits. Ld. Counsel for the Respondent (Non-Applicant-Financial Creditor

(Annu)

and Petitioner of Section 7) has appeared and submitted that they have received the copy of the application. In response to the application she has also provided a copy of the NCLT order dated 12.04.2022 in Company Appeal No. **403 of 2022 in the matter of Ganpati Global Pvt. Ltd. Vs. Catalyst Refinery Services Pvt. Ltd.** Ld. Counsel for the Financial Creditor has submitted that in terms of the above order of NCLAT let the main matter be heard and the present application can be considered along with the main application. On perusal of the application and prayers made therein we are of the view that in the interest of justice it is necessary to hear the present application. Therefore, an opportunity is afforded to Ld. Counsel for the Financial Creditor (Respondent-Non applicant) in this matter to file reply within a week. Ld. Counsel is directed to provide a copy of the reply to the Ld. Counsel for the Applicant (Corporate Debtor) and three days' time for filing rejoinder if any and post this matter after ten days. Parties' request for physical hearing is allowed. List the matter on **25.05.2022**.



(Rahul Bhatnagar)
Member (T)



(P.S.N Prasad)
Member (J)