

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT – II)

Item No. 109
IB/71/ND/2021

IN THE MATTER OF:

Three C Projects Pvt Ltd Through ... Applicant/Petitioner
its Resolution Professional
Versus

M/s Three C Facility Management Pvt ... Respondent

Under Section: 7 of IBC, 2016

Order delivered on 14.06.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Applicant :

For the Respondent :

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

As can be seen from the order dated 29.11.2023, the captioned application could be dismissed as not maintainable. The order reads thus:-

This is an application filed by the Financial Creditor under Section 7 of Insolvency & Bankruptcy Code, 2016. There is no representation on behalf of the Financial Creditor. This petition has been filed by homebuyers. As per existing provisions of law, an individual home buyer, unless musters the support of the requisite number of home buyers, a petition under Section 7 of Companies Act, 2013 cannot be maintained. The Applicant has not yet taken any steps in view of the order passed by Hon'ble Supreme Court in Manish Kumar Versus Union of India. Therefore, the present petition stands dismissed without costs.

In the wake, the application need not be listed in future cause list.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-
(ASHOK KUMAR BHARDWAJ)
MEMBER (J)