

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No.119 - C.P.(IB)/151(AHM)2022

With

ITEM No.120 – IA/301(AHM)2023

Proceedings under Section 95 IBC

IN THE MATTER OF:

Piramal Capital & Housing Finance Ltd (Formerly Known asApplicant
Dewan Housing Finance Corporation Ltd)

V/sRespondent

Neel Thakkar

Order delivered on: 20/12/2023

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant :Mr. Rajiv Chawla, Ld. Adv. for Mr. Arjun Sheth, Ld. Adv.

For the Respondent :Mr. Dhruvin Dossani, Ld. Adv.

ORDER

This is an application filed under Section 95 of the IB Code, 2016 by the Applicant/Financial Creditor i.e. Piramal Capital & Housing Finance Ltd (Formerly Known as Dewan Housing Finance Corporation Ltd) against the Respondent/Guarantor of the Corporate Debtor i.e. M/s. MH Infraprojects Limited for the initiation of Insolvency Resolution Process.

However, learned counsel appearing for the Respondent/Guarantor submitted that the another CP (IB) No. 154 of 2022 is already pending before the Court No.2 against the Corporate Debtor i.e. M/s. MH Infraprojects Limited which is coming up on 03.01.2024 wherein the matter has been settled between the new assignee Phoenix ARC Private Limited and main Corporate Debtor i.e. M/s. MH Infraprojects Limited. Hence, it is requested that this matter may also be transferred to Court No.2 for appropriate adjudication.

In view of above, Joint Registrar of this Tribunal is directed to make an appropriate request to the Registrar NCLT, Delhi for transfer of this matter from Court No.1 to Court No.2, where the other matters are listed of the same Corporate Debtor. Court Master is directed to place the copy of this order before the Joint Registrar of this

Tribunal for obtaining suitable order from appropriate authority for transfer of the matter.

Accordingly, this matter along with IA adjourned as **Sine die** until the transfer of the same.

-Sd-

SAMEER KAKAR
MEMBER (TECHNICAL)

-Sd-

SHAMMI KHAN
MEMBER (JUDICIAL)