

**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 08.03.2021

THROUGH VIDEO CONFERENCING

CAUSE LIST

PRESENT: 1. Hon'ble Member (J), **Shri Rajeswara Rao Vittalana**
2. Hon'ble Member (T), **Shri Ashutosh Chandra**

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB) No. 84/BB/2019	For consideration of NCLAT order- CIRP	Sec 7 of I&B code 2016	M/s Pratap Chandra Pandhy& Ors	Abhay Kumar Das/Aruni Poddar, Advocates	M/s Dreamz Infra India Ltd	Ashok Kriplani, RP Mahesh Chowdary for RP

ADVOCATE FOR PETITIONER/s:

Mr. ~~HARSH~~ **DEVADIGA**
Authorised Representative



ADVOCATE FOR RESPONDENT/s:

O R D E R dated 08.03.2021

The Bench has made the following order:

1. Heard Shri Hari T Devadiga, Authorised Representative for Home Buyers and none appeared for the Resolution Professional.
2. C.A.(AT)(Ins)No.34 of 2020 was preferred by Prakash Shankar Mishra and Ors against the impugned Order dated 17.12.2019 passed in I.A.No.659 and 670 of 2019 in C.P.(IB)No.84/BB/2019, which has been passed in continuation with detailed Orders passed in I.A.No.660, 661, 662, 668, 669 and 675 of 2019.
3. After considering the matter, the Hon'ble NCLAT, vide its Order dated 13.01.2021, has inter alia set aside the impugned Order dated 17.12.2019 and remitted back to the Adjudicating Authority with the following directions:
 - a. *“Mr. Hari T Devadiga will be treated as the Authorised Representative of class of Financial Creditors (home or shop buyers) of Dreamz Infra India Ltd. under Section 21 (6-A) (b) of IBC. Charge, if any, required to be handed over by R-2 shall be handed over to Mr. Hari T Devadiga.*
 - b. *The Adjudicating Authority shall in compliance of Section 22(4) forward the name of Mr. Konduru Prasanth Raju to the IBBI and follow the procedure as laid down in Section 22(4) and (5) of IBC.*
 - c. *In the meanwhile, the charge of IRP will remain with the R-1 – Ashok Kriplani who will be treated as IRP till the Adjudicating Authority does compliance of Section 22(4) and (5) of IBC.*
 - d. *Legality of the actions taken by the R-1 & 2 in the period between passing of the Impugned Orders dated 17.12.2019 till now, shall not be called into question on the basis of present Orders which we are passing. The steps taken by them pursuant to Impugned Orders shall be treated as acts done in regular course. The steps taken by them in CIRP and fees paid/payable in terms of Impugned Orders, shall be protected.”*



4. In the light of the above Order, we hereby appoint Shri Konduru Prasanth Raju as RP in the place of Ashok Kriplani in respect of Corporate Debtor and Shri Hari T Devadiga will be Authorised Representative for Home Buyers.
5. The Registry is directed to forward the name of Shri Konduru Prasanth Raju to IBBI immediately for confirmation by enclosing a copy of order dated 13.01.2021 passed in C.A.(AT)(Ins)No.34 of 2020.
6. Communicate this order to outgoing and present Resolution Professionals and the Authorised Representative.
7. Post the case for report of RP on **09.04.2021**.



MEMBER (T)



MEMBER (J)

Shruthi