

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)

Item No. 101
COMP.APPL/ 172(CH)2023
COMP.APPL/ 72(CH)2023
COMP.APPL/ 129(CH)2023
COMP.APPL/ 155(CH)2023
COMP.APPL/ 254(CH)2022
COMP.APPL/ 130(CH)2022
COMP.APPL/ 208(CH)2021
COMP.APPL/ 211(CH)2022
COMP.APPL/ 212(CH)2022
And
CP/149(CH)2019

IN THE MATTER OF:

Shivam R. Gupta ... **Petitioner**

Versus

Richa Krishna construction Pvt. Ltd. ... **Respondent**

Under Section: 7(7), CA 2013
Rule: 11 of NCLT

Order delivered on 05.02.2024

CORAM:

SHRI. HARNAM SINGH THAKUR,
HON'BLE MEMBER (J)

SHRI. LN GUPTA,
HON'BLE MEMBER (T)

PRESENT:

For the Petitioner : **Mr. Shivam Gupta, petitioner in person in main CP, applicant in IA Nos.172(CH)2023, 72(CH)2023, 129(CH)2023, 254(CH)2022, 130(CH)2022, 208(CH)2021, 211(CH)2022, 212(CH)2022 and respondent in 155(CH)2023.**

For the respondent : **Mr. Nitin Kant Setia, Advocate for respondent No.2-RP in main CP and applicant in 155(CH)2023.**

ORDER

It is brought to our notice by the Ld. counsel appearing on behalf of respondent No.2/RP that all these Company Applications filed in CP No.149/2019 except CA No.155(CH)2023, are preferred by Mr. Shivam R.

Priyanka
5th February, 2024

Gupta, earlier Attorney Holder of Shivalaya Construction Company, with which there was litigation with respondent No.1 and said Shivalaya Constructions Company lost the tender as well as the subsequent litigation in the Hon'ble High Court and Hon'ble Supreme Court of India. Now, as pointed out by the Ld. counsel for the RP for respondent No.2 and so stated by the petitioner, the question of locus and maintainability of the present petition filed by Mr. Shivam R. Gupta, petitioner in person, under Section 7(7) of the Companies Act arises, to which he is directed to file a short note within three weeks with supporting law, if any, with a copy in advance to the counsel opposite.

List the matter for final hearing on 01.03.2024, higher on board.

Sd/-

(LN GUPTA)
HON'BLE MEMBER (T)

Sd/-

(HARNAM SINGH THAKUR)
HON'BLE MEMBER (J)