

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

Item No. 212

(IB)-995(ND)18

IA-188/2024, IA/6636/2023, IA-5634/2023

IA- 5415/2023, IA- 5771/2023, IA/1489/2020

IA- 1566/2024

IN THE MATTER OF:

M/s. VMS Equipment Pvt. Ltd.

...

Applicant/Petitioner

Versus

M/s. Primose Inftatech Pvt. Ltd.

...

Respondent

Under Section: 9 of IBC, 2016

Order delivered on 25.04.2024

CORAM:

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

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

PRESENT:

For the Applicant

: Adv. Animesh Rastogi In IA No. 5415/2023

For the SRA

: Adv. V. Siddharth, Adv. Ayushi Mishra

For the RP

: Adv. Anil M., Adv. Anuja Pethia, Adv. Rishabh G.

For the GNIDA

: Adv. UN Singh in IA-5771/2023

For the Sus.

: Adv. Mirnal Harsh Vardhan, Adv. Kailash Ram,

Directors

Adv. Yougendra Singh

HYBRID HEARING (PHYSICAL & VC)

ORDER

IA-1566/2024: Mr. Mirnal, the Ld. Counsel for the Applicant submitted that since he has preferred an appeal from the order 28.02.2024 passed by Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 287 of 2024, for the present he is not pressing the captioned application. In view of the prayer made by Mr. Mirnal, Ld. Counsel for the Applicant **the IA is dismissed as withdrawn**. It goes without saying that it would be open to Applicant to move an appropriate application with the same prayer as and when circumstances warrant.

IA-188/2024: Mr. Mirnal, the Ld. Counsel for the Suspended Board of Directors submitted that the order passed by Hon'ble NCLAT in Company Appeal (AT)

(Insolvency) No. 287 of 2024 has been challenged before Hon'ble Supreme Court and the appeal so preferred is scheduled to be listed on (26.04.2024) i.e tomorrow. In the wake of the pendency of appeal before Hon'ble Supreme Court, hearing in the captioned IA is deferred to 06.05.2024.

IA-5771/2023: Ld. Counsel appearing for the RP submitted that the Greater Noida Industrial Development Authority would be paid the full admitted amount i.e. Rs. 55,00,00,000/- (fifty-five crores). Let the matter be placed before CoC and addendum to Resolution plan to the effect be filed within one week. With these directions, the prime grievance raised in the application stands satisfied and **the application stands disposed of.**

IA/6636/2023, IA-5634/2023, IA- 5415/2023, IA/1489/2020: List on 06.05.2024.

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

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