

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III**

Item No. 103
New IA-1667/2024
In
IB-22(ND)/2018

IN THE MATTER OF:

Oriental Bank of Commerce

Vs

M/s. Shekhar Resorts Ltd. & Ors.

.....APPLICANT/PETITIONER

.....RESPONDENT

SECTION

U/s 7 of IBC, 2016

Order delivered on 10.04.2024

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Mr. Abhishek Anand, Mr. Shikhar Tiwari, Advocates.

For the Respondent :

HYBRID HEARING (PHYSICAL & VC)
ORDER

New IA-1667/2024:-

This application has been filed seeking the following prayers:-

- *Issue appropriate directions against the Respondent including declaring two Orders bearing No. RO/DL(S)/NHP/939449/Damages-III/14B/2023-24 under Section 14B of EPF & MP Act, 1952 dated 22.02.2024 and No. RO/DL(S)/NHP/939449/Damages-III/7Q/2023-24 dated 22.02.2024 under Section 7Q of the EPF & MP Act, 1952 passed by the Respondent for recovery is in contravention to the provisions of the Code and the same is non-est in law;*
- *During the pendency of the present Application grant a stay on the operation of both the Orders dated 22.02.2024 passed by the Respondent Authority;*
- *Initiate appropriate proceedings against the Respondent under Section 74(3) of the I & B Code, 2016 for contravening the approved resolution plan by raising demand for dues prior to the CIRP vide order dated 16.04.2021 passed by the Respondent;*

Heard the submissions made by the Learned Counsel appearing for the Applicant.

Issue notice to the Respondent.

The Applicant shall serve notice along with the application on the Respondent by all modes and file proof and affidavit of service within one week. The Respondent is directed to file reply affidavit within one week after receipt of the notice.

List the matter on **07.05.2024**.

Sd/-

**(ATUL CHATURVEDI)
MEMBER (TECHNICAL)**

Sd/-

**(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)**