

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SINGLE PRINCIPAL BENCH

ITEM No. 06
TA (IBC)- 15(PB)/2024

IN THE MATTER OF:

JV Holding Private Limited

.... Petitioner/Applicant

Vs.

Kranti Infra Power Private Limited

.... Respondent

Order under Rule 16(d) of NCLT, 2016

Order delivered on 12.04.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant / : Adv. Jatin Chaddha, Adv. Ankita Panikkar, Adv.
Financial Creditor Kushagra Verma

For the Respondent : Adv. Sahil Garg, Adv. Samiksha Jain

ORDER

1. Mr. Jatin Chaddha, Ld. Counsel for the Applicant appears physically.
2. Mr. Sahil Garg, Ld. Counsel for the Respondent appears through VC.
3. Prayer in this application reads as follows:
 - a. *Allow the present Transfer Application thereby clubbing both the aforementioned matters and transfer the C.P. (IB) No. 84 of 2024 titled as "M/s. JV Holding Pvt. Ltd. V. Mr. Anuj Nautiyal" pending before the Court No.5 to Court No.4 where Section 7 Application is pending.*
 - b. *Pass such further order(s), direction(s) or relief(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case and in the interest of Justice and Equity.*
4. The Section 7 Petition bearing CP IB-83/2024 has been filed by M/s. JV Holding Pvt. Ltd. i.e. the Transfer Applicant against M/s. Kranti Infra Power Pvt. Ltd. i.e. the Respondent herein and the Petition is listed before Court-IV, NCLT, New Delhi Bench.

5. Another Section 95 Petition bearing CP IB-84/2024 has been filed by M/s. JV Holding Pvt. Ltd. i.e. the Transfer Applicant against M/s. Mr. Anuj Nautiyal, the Personal Guarantor and it is listed before Court-V, NCLT, New Delhi Bench.
6. It has been stated by the Ld. Counsel for the Applicant that the amount of debt is same in both the cases and both the matters are connected as underlying claim amount is same for both the matters. Mr. Anuj Nautiyal is the Director of the Corporate Debtor and has stood as Personal Guarantor for financial debt granted by Transfer Applicant herein to M/s. Kranti Infra Power Pvt. Ltd.
7. This application is filed seeking transfer of CP IB-84/2024 from Court-V, NCLT, New Delhi Bench to Court-IV, NCLT, New Delhi Bench and be listed with CP IB-83/2024, which is pending and is being heard by Court-IV, NCLT, New Delhi Bench.
8. Mr. Sahil Garg, Ld. Counsel for the Respondent appears through VC and states that he has no serious objection against the transfer of CP IB-84/2024 from Court-V, NCLT, New Delhi Bench to Court-IV, NCLT, New Delhi Bench.
9. In view of the above factual position and in the interest of speedy and effective disposal of all the cases, CP IB-84/2024 is hereby directed to be transferred from Court-V, NCLT, New Delhi Bench to Court-IV, NCLT, New Delhi Bench.
10. Accordingly, **TA (IBC)- 15(PB)/2024** stands **allowed**.

Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT