

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

**ITEM No.23**  
**TA (IBC)- 21(PB)/2023**

**IN THE MATTER OF:**

Spaze Towers Private Limited  
v.  
Vivek Khanna & Ors.

.... Petitioner/Applicant  
.... Respondent

**Order Under Rule 16(d) NCLT , 2016**

**Order delivered on 03.05.2024**

**CORAM:**

**JUSTICE RAMALINGAM SUDHAKAR**  
**HON'BLE PRESIDENT**

**HYBRID HEARING (PHYSICAL & VC)**

**PRESENT:**

For the Applicant : Mr. Sumesh Dhawan, Ms. Vatsala Kak, Mr. Shaurya Shyam, Advs.  
For the Respondent : Mr. Guneet Sidhu, Mr. Satyam Vidyarthi, Advs.  
Ms. Aparajita Singh, Adv.

**ORDER**

1. The prayer in this transfer application is as follows:

*“a. Allow the present Application and transfer the Company Petition (IB) 284 of 2021 from New Delhi Bench to Chandigarh Bench of the Hon'ble Adjudicating Authority;*

*b. Pass any other Order(s) as this Hon'ble Adjudicating Authority may deem fit and proper in the facts and circumstances of the present case.”*

2. Heard, Ld. Counsel Mr. Sumesh Dhawan appearing on behalf of Applicant and Ld. Counsel Mr. Guneet Sidhu appearing on behalf of the Respondent.

3. The Section 7 petition has been filed by the allottees of the commercial project. At the time of filing of the petition, the registered office of the CD was in Delhi. However, it appears that the registered office of the CD has been transferred to Chandigarh.

It is pleaded by the Applicant that the project is in the state of Haryana and therefore, it will be in the best interest of the parties if the transfer sought is allowed.

4. Even prior to change of registered office, the case was filed and the matter is already pending before Court-4, NCLT, New Delhi and it has been substantially heard. Therefore, in the interest of justice it should be heard and decided by Court-4, NCLT, New Delhi as expeditiously as possible. The transfer may cause delay and prejudice.

5. Both the counsels fairly stated that no prejudice will be caused to the parties. Hence, there is no need for transfer.

**6. Accordingly, TA (IBC)- 21(PB)/2023 stands disposed of.**

-sd-

**(RAMALINGAM SUDHAKAR)  
PRESIDENT**

Vinod Arora – 03.05.2024