

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**  
**(Special Bench)**

**Item No.-503**  
IB-1436/PB/2018  
IA/2142/2022

**IN THE MATTER OF:**

Chandanmeet Singh Sethi  
**Vs.**  
M/s. Imperia Structures Ltd.

**....Applicant**

**.....Respondent**

**SECTION**

U/s 7 IBC

**Order delivered on 10.03.2023**

**CORAM:**

**SHRI ASHOK KUMAR BHARDWAJ,**  
**HON'BLE MEMBER (JUDICIAL)**

**DR. BINOD KUMAR SINHA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant :  
For the Respondent : Adv Manas Syal

**ORDER**

**IA/2142/2022:-**

Ld. Counsel for the Petitioner fairly submitted that the Petitioners who have joining in filing IB-1436/2018 are neither 100 in numbers nor are they 10 percent of total allottee. He also conceded that the requirement of joining by 100 or 10 per cent allottee in filing the petition under Section 7 IBC, in terms of first proviso to Section 7(1) could not be satisfied within 30 days of the amended dated 13.03.2020 or 2 months of the judgment passed by the Hon'ble Supreme Court in Manish Kumar Vs. Union of India & Anr. in WP(C) 26/2020 (Para 372 (i)). In view of the stand taken by the Ld. Counsel for the Petitioner himself, the petition is found not maintainable and is **disposed of accordingly.**

**Sd/-**  
**(DR. BINOD KUMAR SINHA)**  
**MEMBER (T)**

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