

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

Item No. 307
(IB)-662(ND)2021
New RA- 32/2024

IN THE MATTER OF:

Pragati Impex India Pvt. Ltd.

...

Applicant/Petitioner

Versus

Vistar Construction Pvt. Ltd.

...

Respondent

Under Section: 7 of IBC, 2016

Order delivered on 08.04.2024

CORAM:

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

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

PRESENT:

For the Applicant : Adv. R. Verma

For the Respondent : Adv. Kanika Singhal, Adv. Nachiketa Joshi, Adv.
Gautam Singh

For the RP : Adv. Pankaj Agarwal, Adv. Shashwat Srivastava,
Adv. Amit Agarwal

HYBRID HEARING (PHYSICAL & VC)

ORDER

RA-32/2024: In the wake of the order dated 02.02.2024 passed by Hon'ble NCLAT in Company Appeal (AT) (Insolvency) No. 1413 of 2023, the IA-4654/2023 stand revived. Mr. Pankaj Agarwal, Ld. Counsel for the RP submitted that he has limited role to say anything in the matter and the IA-4654/2023 need to be decided after hearing the Financial Creditor.

Issue notice both to Financial Creditor and the Corporate Debtor returnable on 02.05.2024. The Ld. Counsel for the Applicant in IA-4654/2023 undertakes to serve notice upon the Respondent through all modes viz. registered post, speed post, courier service and E-mail. Affidavit of service be filed within one week. Reply, if any, may be filed by the Respondent within one week from the date of receipt of the notice. Rejoinder, if any, may be filed before the next date of hearing.

In the meantime, the Applicant shall also file an affidavit indicating therein the source of information about institution of the present proceeding.

List the matter on 02.05.2024.

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

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