

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-510

IB-882/ND/2020

New IA5898/2023, New IA5955/2023, New IA6092/2023, IA-5765/2023, IA-5731/2023, IA-5729/2023, IA-5694/2023, IA-5685/2023, IA-5678/2023, IA-5522/2023, IA-5412/2023

IN THE MATTER OF:

M/s Ahluwalia Contracts (India) Ltd

....Applicant

Vs.

Logix Infratech Pvt. Ltd.

.....Respondent

SECTION

U/s 9 IBC

Order delivered on 10.11.2023

CORAM:

**SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)**

**Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant : IA NO.5412/2023, Adv Akshay Goel , Paras Arora,
Counsels, IA no. 6092/2023 Adv. Dhruv Gupta and
Adv Bhumi agarwal, Adv Geetika Kapur, Kaushik
Shamra

For the Respondent :

For the RP : Mr. Aishwarya Adlakha

ORDER

IA-5765/2023:-

This is an application filed by a Homebuyer under Section 60(5) of the IBC, 2016 seeking directions to the Resolution Professional for consideration of his claim. Heard Ld. Counsel for the Applicant who submitted that the claim of the Applicant was not considered by the RP due to the fact that the claim was filed belatedly. Ld. Counsel for the RP is also present. It is seen that in the prayer clause of the application, the Applicant has not seek Condonation of Delay but sought directions to the RP to admit the claim. However, during the course of arguments, Ld. Counsel for the Applicant did not press those prayers and said

instead the delay be condoned and RP be directed to consider his claim as per law. Keeping in view the fact that the matter relates to Homebuyer and in similar applications, delay in filing claim before the RP has been condoned by this Adjudicating Authority, we condoned the delay in filing the claim by the Applicant before the RP subject to payment of cost of Rs. 10,000/- to be paid by the Applicant to the RP and the said amount shall be utilised by the RP in the CIRP proceedings. The RP is directed to examine the claim as per the law and take appropriate decision. With these observations, the present **IA is disposed off.**

All other IAs:-

These are the applications filed by the Homebuyers seeking Condonation of Delay in filing their claim before the RP. Heard Ld. Counsels for the Applicants and Ld. Counsel for the Resolution Professional. It is noticed that on the previous occasion also, this Adjudicating Authority has passed an order for Condonation of Delay in filing the claim by the Homebuyers. Keeping in view the fact and the matter relates to Homebuyers, we condoned the delay in filing the claim by the Applicants before the RP subject to payment of cost of Rs. 10,000/- to be paid by the each Applicant to the RP and the said amount shall be utilised by the RP in the CIRP proceedings. The RP is directed to examine the claim as per the law and take appropriate decision. With these observations, the present **IAs are disposed off.**

Sd/-
(Dr. SANJEEV RANJAN)
MEMBER (T)

Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)