

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH

ITEM No. 14
(IB)-350(PB)/2021

IN THE MATTER OF:

Mr. Amit Joshi & Ors. Petitioner/Applicant
v.
Gayatri Infra Planners Pvt. Ltd. Respondent

Order Under Section 7 of Insolvency & Bankruptcy Code, 2016 CIRP

Order delivered on 16.04.2024

CORAM:

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

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Appearance not marked
For the RP : Ms. Aditi Sharma, Adv.

ORDER

IA-4484/2023

1. The prayer made in this application reads thus:

“(i) Allow the present application and direct the Respondent to admit the claim of Rs. 6,16,19,460/- of the Claimant as a Third party asset itself; and

(ii) Pass such any other order as this Hon'ble Tribunal may deem think it fit.”

2. Ld. Counsel appearing for the Applicant submitted that in wake of the judgement of the Hon'ble Supreme Court in the case of **“Greater Noida Industrial Development Authority v. Prabhjit Singh Soni & Anr.”** in Civil Appeal Nos. 7590-7591 of 2023.

The RP could not have rejected the claim of the Applicant (EPFO),

merely on the ground that the claim was not submitted in the prescribed form.

3. Confronted with the plea, Ms. Aditi Sharma appearing for the RP submitted that the RP would examine the claim on merits within one week. In view of the statement made by the Ld. Counsel, the application is disposed of.

4. Accordingly, the IA-4484/2023 stands disposed of.

-sd-
(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)

-sd-
(ASHOK KUMAR BHARDWAJ)
MEMBER (JUDICIAL)

Vinod Arora – 16.04.2024