

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-III**

**Item No.-106**  
New IA-780/2021  
In  
IB-1348(ND)/2019

**IN THE MATTER OF:**

M/s. Nisus Finance & Investment Managers LLP & Anr.  
**Vs.**  
M/s. Earthcon Universal Infratech Pvt. Ltd.

**...FINANCIAL CREDITOR**

**...CORPORATE DEBTOR**

**SECTION**

**U/s 7 IBC code 2016**

**Order delivered on 16.02.2021**

**CORAM:**

**CH. MOHD. SHARIEF TARIQ**  
**MEMBER (JUDICIAL)**  
**SHRI NARENDER KUMAR BHOLA**  
**MEMBER (TECHNICAL)**

**PRESENT:**


For the Applicant/FC : Mr. U N Singh Advocate  
For the RP : Mr. Rishabh Jain, Advocate for RP


**ORDER**

**IA-780/2021:-**

Counsel for the Applicant is present. Counsel for the Resolution Professional is present. It is submitted by the counsel for the Applicant that the Applicant has been considered as FC by the Resolution Professional and a seat is given in the CoC.

In view of it, the Application has become infructuous and the same stands **dismissed**.

  
**(NARENDER KUMAR BHOLA)**  
**MEMBER (TECHNICAL)**

  
**(CH. MOHD. SHARIEF TARIQ)**  
**MEMBER (JUDICIAL)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-III**

**Item No.-106**  
New IA-796/2021  
In  
IB-1348(ND)/2019

**IN THE MATTER OF:**

M/s. Nisus Finance & Investment Managers LLP & Anr.

....**FINANCIAL CREDITOR**

**Vs.**

M/s. Earthcon Universal Infratech Pvt. Ltd.

....**CORPORATE DEBTOR**

**SECTION**

U/s 7 IBC code 2016

**Order delivered on 16.02.2021**

**CORAM:**

**CH. MOHD. SHARIEF TARIQ**

**MEMBER (JUDICIAL)**

**SHRI NARENDER KUMAR BHOLA**

**MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant/FC

: Ms. Manu Yadav, Advocate

For the RP

: Mr. Rishabh Jain, Advocate for RP

**ORDER**

**IA No. 796/2021:-**

Counsel for the Applicant is present. Counsel for the RP is present. Under challenge are three resolutions passed in 3<sup>rd</sup> meeting of the CoC convened on 19.12.2020. Therefore, the authorized representatives and looking to the subject matter of the payments of electricity charges, the Noida Power Company Limited and Authorized Respondent are made party in the Application. Accordingly, cause title of the application shall be amended by the counsel for the applicant.

The Counsel for the Applicant is directed to provide copy of the Application to the counsels for Noida Power Company and the AR along with the documents. The Resolution Professional and the Counsels for AR and Noida Power Company are directed to file reply within three weeks.

List the matter on 19.03.2021.

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**(NARENDER KUMAR BHOLA)**  
**MEMBER (TECHNICAL)**

-sd-

**(CH. MOHD. SHARIEF TARIQ)**  
**MEMBER (JUDICIAL)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-III**

**Item No.-106**  
IA-3379/2020  
In  
IB-1348(ND)/2019

**IN THE MATTER OF:**

M/s. Nisus Finance & Investment Managers LLP & Anr.

....**FINANCIAL CREDITOR**

**Vs.**

M/s. Earthcon Universal Infratech Pvt. Ltd.

....**CORPORATE DEBTOR**

**SECTION**

U/s 7 IBC code 2016

**Order delivered on 16.02.2021**

**CORAM:**

**CH. MOHD. SHARIEF TARIQ**

**MEMBER (JUDICIAL)**

**SHRI NARENDER KUMAR BHOLA**

**MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant/FC : Mr. Sanjay khanna, Ms. Pragya Bhushan Advocates

For the RP : Mr. Rishabh Jain, Advocate for RP

For the Noida Power Comp. : Mr. Divyanshu Gupta, Advocate

**ORDER**

**IA No. 3379/2020:-**

Counsel for the Applicant is present. Counsel for the new RP is present. Counsel for the AR is present. Counsel for the Noida Power Company Limited is present. It is noted that AR and Greater Noida Authority have not been made as party in the present application, even though they are necessary parties. Therefore, the Authorized Representatives and the Greater Noida Authority as party in this IA with the direction to the Counsel for the Applicant to send private notice to them along with the copy of the application for filing reply. Accordingly, cause title of the application shall be amended by the counsel for the applicant.

The counsel for the applicant is directed to issue private notice to rest of the Respondent by all modes and file proof of service along with affidavit on or before next date of hearing.

List the matter on 11.03.2021.

  
(NARENDER KUMAR BHOLA)  
MEMBER (TECHNICAL)

  
(CH. MOHD. SHARIEF TARIQ)  
MEMBER (JUDICIAL)

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