

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT III

Item No. 202

New IA-4335/2021 60(5)
New IA-4353/2021 60(5)
New Cont.P-18/2021 Under Rule-11
In
IB-1348(ND)/2019

IN THE MATTER OF:

M/s. Nisus Finance & Investment Managers LLP & Anr.**APPLICANT / PETITIONER**
Vs.

M/s. Earthcon Universal Infratech Pvt. Ltd.**RESPONDENT**

SECTION

U/s 7 IBC code 2016

Order delivered on 30.09.2021

CORAM:

SHRI P.S.N. PRASAD
MEMBER (JUDICIAL)
SHRI K.K. VOHRA
MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Adv. Mr. Shikhil Suri, Adv. Ms. Madhu Suri, Adv. Ms. Nikita Thapar, Adv. Ms. Komal Gupta
For the AROC : Ms. Deepti Grover Khanna, Mr. Satish Kumar Gaadh,
Advocate
For the Respondent :

ORDER

IA No. 4335/2021

Heard the submissions made by the Counsel. The Counsel was given liberty to withdraw the Application. The counsel has prayed for grant of time to take instructions from her client and revert in the matter. Therefore, let this matter be posted to 26.10.2021.

IA No. 4353/2021

This is an Application on behalf of the Applicant/S. Jamal (Financial Creditor) under Section 60 (5) of the Insolvency and Bankruptcy Code, 2016



Jyoti



Counsel -

read with Rule 11 of NCLT Rules seeking the direction to IRP/RP to collate the claim of the Applicant and to condone the delay.

Although an advance copy of the Application has been served on the R.P, neither the R.P. nor the Counsel is present to assist the Tribunal. Therefore, let notice be served on the R.P. to be present on the next date of hearing invariably and assist the Tribunal in taking a decision on this Application. Post this matter after two weeks.

List on 26.10.2021.

New Contempt Petition No. 18/2021

This is a Contempt Application under Rule 11 of NCLT Rules, 2016 read with Section 425 of the Companies Act, 2013 for initiating the contempt proceedings against the Resolution Professional of the Corporate Debtor for willful disobedience and non-compliance of order dated 23.07.2021 passed by NCLT in IA No. 1606/2021 in C.P. (IB) No. 1348/ND/2019 along with the affidavit in support.

We have heard the Counsel for the Applicant. Let notice be served on the Non-Applicants and Non-Applicants are directed to show cause as to why they have so far not complied to the order dated 23.07.2021 passed in IA No. 1606 of 2021 within two weeks. Dasti is also **allowed**.

List on 26.10.2021.

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(K.K. VOHRA)
MEMBER (TECHNICAL)

- S - d -

(P.S.N. PRASAD)
MEMBER (JUDICIAL)