

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

**Item No.306**

IA-1508/2021 IA-1016/2021 IA-1020/2021 IA-1025/2021 IA-1032/2021 IA-  
1054/2021 IA-1056/2021 IA-1060/2021 IA-1064/2021

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 of IBC, 2016**

**Order delivered on 18.11.2021**

**CORAM:**

**SHRI BACHU VENKAT BALARAM DAS**  
**MEMBER (JUDICIAL)**

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

**PRESENT:**

For the Respondent : Adv. Aditi Sinha, Waseem Ahmad, Rishi Awasthi and  
Avinash Ankit Adv.

For the RP : Rishabh Jain, Advocate

**ORDER**

**IA-1508/2021 :**

Counsel for the Resolution Professional is present. However, no one is present on behalf of the respondent in the matter.

Counsel for the R.P. is directed to send a fresh notice to the respondents by all means within next 7 days and file the proof of service of the same with this Tribunal along with an affidavit. The Respondents shall file their reply within two weeks with an advance copy to the Counsel for the applicant for filing rejoinder, if any.



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It may be noted by the respondents that through this order, last opportunity is being given by this Tribunal for filing their response to the present application, failing which, an appropriate directions shall be issued on the next date of hearing.

List on 12.1.2022.

**IA-1016/2021 :**

Counsel for the Resolution Professional is present. Proxy Counsel on behalf of the respondent is also present in the matter.

It is seen from the e-Portal of this Tribunal that necessary compliance has been made with regard to this Tribunal's order dated 7<sup>th</sup> April, 2021 by the Counsel for the respondent.

The Proxy Counsel for the respondent is directed to immediately get in touch with the Registry of the Tribunal and ensure that reply filed by him is made available on the e-Portal of the Tribunal within next 10 days.

Counsel for the R.P. is also directed to send once again a copy of the rejoinder upon the Counsel for the respondent for their information within 10 days.

List the matter on 12.1.2022.

**IA-1020/2021:-**

Counsel for the Resolution Professional is present. Counsel for the Respondent is present. It is seen that despite order dated 07.04.2021, the reply from the side of the Respondent is not available on the e-portal of the Tribunal. Proxy Counsel for the Respondent is once again directed to file the reply on the e-portal of the Tribunal within next 10 days time. Counsel for the Resolution Professional is directed to serve a copy of the rejoinder in the matter to the Counsel for the Respondent for their information. List the matter after two weeks.

List the matter on 12.01.2022.

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18-1348/2019  
18.11.21

**IA-1025/2021:-**

Counsel for the Resolution Professional is present. Counsel for the Respondent is also present. It is seen despite order dated 07.04.2021, no reply from the side of Respondent is filed on the e-portal of the Tribunal. Counsel for the Respondent is once again directed to file the same within next seven days.

List the matter on 12.01.2022 for further consideration.

**IA-1032/2021 IA-1054/2021 IA-1060/2021:-**

Counsel for the Resolution Professional is present. Proxy Counsel for the Respondent is present. From the filings made with respect to reply of the Respondent as well as the rejoinder in the matter. It appears that there has been some mistake in filing of the same. Reply in respect to some other matters have mixed with the present IA. Therefore, Counsel for Resolution Professional and Proxy Counsel for the Respondent are directed to take up the matter with the Registry and sort out issue within next 10 days from today by filing an appropriate reply against the relevant IA for further consideration by this Tribunal. Let this be done within next 10 days time.

List the matter on 12.01.2022 for further consideration.

**IA-1056/2021:-**

Counsel for the Resolution Professional is present. Proxy Counsel for the Respondent is present. It is seen that despite the order of this Tribunal dated 07.04.2021, no reply on behalf of the Respondent has been filed in the matter. Two weeks time is given as a last opportunity to comply with the said order 07.04.2021 with a copy to the Counsel for the Resolution Professional for filing rejoinder if any in the matter within seven days time.

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IB-1348/2019  
18.11.2021


It is made clear that in case no reply has been filed by the counsel for the Respondent in the matter, the right to file reply will be forfeited.

List the matter on 12.01.2022.

**IA-1064/2021:-**

Counsel for the Resolution Professional is present. Proxy Counsel for the Respondent is not present. It is seen despite order dated 07.04.2021 no reply has been filed on behalf of Respondent No. 1 in the matter. R-1 is given last and final opportunity to file its reply to the present IA within next 10 days time, failing which the right to file reply shall be forfeited by this Tribunal. A copy of this reply shall also be sent to the Counsel for the Resolution Professional for filing rejoinder if any within next 10 days time.

List the matter on 12.01.2022 for further consideration.



**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**



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

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IB-1348 | 2019

18.11.2021

C-III