

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

Item No.202
New IA-82/2022
In
IB-1348(ND)/2019

IN THE MATTER OF:

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 20.01.2022

CORAM:

SHRI BACHU VENKAT BALARAM DAS
MEMBER (JUDICIAL)

SHRI NARENDER KUMAR BHOLA
MEMBER (TECHNICAL)

PRESENT:

For the RP : Mr. Rishabh Jain, Advocate

For the Respondent :

ORDER

New IA-82/2022:-

This is an application filed under Section 60(5) of IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 for seeking permanent stay of electricity disconnection notice issued by Respondent.

Counsel for the Resolution Professional is present. He has taken us through the present application which has been served upon the Respondent for which necessary proof of service has also been filed. After going through the present application and hearing the submissions made by the Counsel for the Resolution Professional, we direct issuance of notice of the present application on the Respondent by the Counsel for the Resolution Professional by all means and file proof of service along with affidavit within two weeks.

In the meantime, we are convinced that certain immediate reliefs need to be granted having regard to the nature of services being availed by the residents of Corporate Debtor's project which is under CIR Process from the Respondents. We,


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therefore, direct the Respondents not to proceed with its disconnection notice dated 17.12.2021 issued against the Applicant till further orders and ensure that regular electricity is provided to the project of the Corporate Debtor in question. Post this matter after three weeks.

Let the matter be fixed on **01.03.2022** for further consideration.



(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)



(NARENDER KUMAR BHOLA)
MEMBER (TECHNICAL)

Surjit

20.1.2022

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