

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 10
(IB)-876(ND)/2020

IN THE MATTER OF:

Dhankalash Distributors Pvt. Ltd. Petitioner/Applicant
Vs.
Piyush IT Solutions Pvt. Ltd. Respondent

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

Order delivered on 01.05.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

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

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Mr. Raj Kamal, Mr. Anurag Chander, Ms. Stuti,
Adv. in IA-2636/2022, IA-2640/2022, IA-
2642/2022, IA-2645/2022
Mr. Ashish Kumar Sharma, Mr. Samdarshi
Sanjay, Adv. in IA-2952/2022
Ms. Rashi Jain, Mr. Mihir Garg, Adv. in IA-
3451/2022, IA-4791/2022
Mr. Vaibhav Tyagi, Adv. In IA-3867/2022, IA-
4812/2023 (Appearance not marked)
Dr. Atul Singh, Adv. In IA-3848/2022
Mr. Aditya Dewan, Mr. Sahil Chandra, and
Mr. Parth Tiwari, Adv. in - IA-591/2022
Ms. Bani Dixit, and Mr.,. Uddhav Khanna, Adv.
in IA-1523 / 2022
Mr. Ved Vyas Tripathi, Mr. Arun Kumar Tiwari
and Mr. Pranjal Rai, Adv. in IA No. 3756/2022
For the Homebuyers : Mr. Utkarsh Joshi, Adv. In IA-593/2022
For the SRA : Mr. Sunil Fernandes, Sr. Adv. Mr. Prithu Garg,
Mr. Shivam Singh, Ms. Diksha Dadu, Adv.
For the RP : Mr. Arvind Nayar, Sr. Adv., Mr. Maulik Khurana,
Ms. Anshika Chadha, Mr. Akshay, Mr.
Shubham, Adv.
For the NOIDA : Mr. Abdhesh Chaudhary, Mr. Vinayak Mishra,
Ms. Meena Yadav, Mr. Nishi Kant Singh, Adv.
For the ACRE : Mr. Udit Mendiratta, Mr. Shivkrit Rai, Mr. Prithvi
Sinha, Adv. in IA-593/2022
For the Respondent : Mr. Abhay Kaushik, Adv. For the R-11, R-12 in
IA-2462/2021

ORDER

CA-24/2022, IA-5310/2023, IA-3746/2022, Ivn. P- 38/2022

Today, when the matter was called, none appeared on behalf of the Applicant.

List the matter for dismissal **on 05.06.2024.**

IA-3451/2022, IA-4791/2022

Ld. Counsel Ms. Rashi Jain appeared on behalf of the Applicant. Ld. Sr. Counsel Mr. Arvind Nayar appeared for the RP and sought some time to seek instructions on the contention raised by the Applicant.

At request and with consent of the parties, list the matter along with all the other pending applications for a physical hearing **on 05.06.2024.**

IA-3867/2022, IA-4812/2023

Ld. Counsel Mr. Vaibhav Tyagi appeared through VC on behalf of the Applicant and sought some time to go through the judgment of the Hon'ble NCLAT in "*Pooja Mehra Vs. Nilesh Sharma*". List **on 05.06.2024.**

IA-2952/2022

Ld. Counsel Mr. Ashish Kumar Sharma appeared on behalf of the Applicant and sought some time to go through the same judgment as stated in the above IA. List **on 05.06.2024.**

IA-362/2022, IA-593/2022, IA-1523/2022, IA-591/2022, IA-1371/2023, IA-4318/2023, IA-3848/2022, IA-2636/2022, IA-2640/2022, IA-2642/2022, IA-2645/2022, IA-2693/2022, IA-5711/2023, IA-2462/2021, IA-5637/2021

At request and with consent of the parties, list the matter along with all the other pending applications for a physical hearing **on 05.06.2024.**

Meanwhile, counsels for the home-buyers applicants are directed to go through the judgement of Hon'ble NCLAT in "*Pooja Mehra Vs. Nilesh Sharma*".

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Further, we also take note of the fact that in the case of "***M/s. Dhankalash Distributors Private Limited Vs. Arena Superstructures Private Limited***" in CP (IB) No.875(PB)/2020, against one plan approval order passed in IA-3392/2021 on 19.07.2023, an appeal has been filed, that is, "***Dhankalash Distributors Pvt. Ltd. Vs. Ayyagiri Viswanadha Sarma & Ors.***" in Company Appeal (AT) (Insolvency) No. 1117 of 2023, and the matter is pending before the Hon'ble NCLAT on various issues. Hence, considering all the above, we are inclined to adjourn the matter again along with other pending applications for a physical hearing **to 05.06.2024.**

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**(RAMALINGAM SUDHAKAR)
PRESIDENT**

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**(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)**

Vinod Arora – 01.05.2024