

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**  
**(Special Bench)**

**Item No.-515**

IB-1529/ND/2019  
New IA/1367/2023, New IA/1373/2023,  
IA/966/2023, IA/967/2023

**IN THE MATTER OF:**

M/s. COL. C.D Sharma (Retd.) & Ors.

**....Applicant**

**Vs.**

M/s. Orior Developers and Infrastructure Pvt. Ltd.

**.....Respondent**

**SECTION**

U/s 7 IBC CIRP

**Order delivered on 10.03.2023**

**CORAM:**

**SHRI ASHOK KUMAR BHARDWAJ,  
HON'BLE MEMBER (JUDICIAL)**

**DR. BINOD KUMAR SINHA,  
HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Adv Ajai Kumar, Mr. Abhishek Jain, Mr. Himanshu  
Singhal, Adv Ratakshi Sarvaria, Mr. Prabhakar  
Kumar, RP with Adv Ishwar Mohapatra in  
IA-1367-2023

For the Respondent :

**ORDER**

**New IA/1373/2023, IA/966/2023 & IA/967/2023:-**

The claim espoused in the IA is for the consideration of the claim of the Applicants who applied for allotment of the plots. The RP had refused to entertain the claim as they are filed belatedly. In Puneet Kaur Vs. KV Developers Pvt Ltd, the Hon'ble NCLAT held that even when the claim is filed by the homebuyers belatedly but before the approval of the plan by this Adjudicating Authority, the claim should still be examined by the RP. In the wake, the application is disposed of with the direction that the RP should examine the claim of the Applicant with reference to the books of the CD and

pass an appropriate order. It is made clear that the RP would ensure that no collusive or frivolous claim staked with ulterior motive is accepted.

**New IA/1367/2023:-**

List this IA on **10.04.2023**.

**Sd/-**

**(DR. BINOD KUMAR SINHA)  
MEMBER (T)**

**Sd/-**

**(SHRI ASHOK KUMAR BHARDWAJ)  
MEMBER (J)**