

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

Item No.-501
IB-657/ND/2021
New IA/55/2023

IN THE MATTER OF:

Manish Aneja & Ors

Vs.

Revital Reality Pvt. Ltd.

....Applicant

.....Respondent

SECTION

U/s 7 IBC

Order delivered on 05.01.2023

CORAM:

**SHRI P.S.N PRASAD,
HON'BLE MEMBER (JUDICIAL)**

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

PRESENT:

For the Applicant

: Mr. Abhishek Anand along with Mr. Shiver &
Mr. Karan, Mr. Piyush Singh, Mr. Adithya Ramani,
Ms. Riddhi Jain, Ms. Priya Sarawag

For the Respondent

: Mr. P. Nagesh Sr. Adv with Mr. Lokesh Malik

ORDER

New IA/55/2023:-

Heard the submissions made by Counsel for Intervenor. This is an application filed under Section 60(5) of IBC, 2016 read with Rule 11 of NCLT Rules seeking dismissal of the Section 7 application bearing IB No. 657/2021. Counsel is directed to cure the defects in the application within 5 days. Section 7 Applicant has submitted that he has reliably come to know that Corporate Debtor is trying to create some third party rights in the project with a new developer. Opportunity was afforded to the Counsel for the Corporate Debtor to give an undertaking regarding non-creation of any third party rights specially bringing the new developer on the project land till the next date of hearing. Counsel for Corporate Debtor has stated on instructions from the Director of the Corporate Debtor that neither creation of third party rights nor bringing a new developer is under any consideration on the project land. Counsel for





Corporate Debtor has also submitted that the Applicant's statement is not supported by any material evidence placed before the Tribunal. Let this matter be posted to **24.01.2023** with the main petition.

-sd-

(DR. BINOD KUMAR SINHA)
MEMBER (T)

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(SHRI P.S.N PRASAD)
MEMBER (J)

Khushboo
05.01.2023