

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT – II)

Item No. 203
(IB)-532/ND/2023
IA-1828/2024

IN THE MATTER OF:

Kapil Choudhary

... **Applicant/Petitioner**

Under Section: 94(1) of IBC, 2016

Order delivered on 02.05.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Advocate Purni Gupta in IA-1828/2024.

For the RP : Mr. Yogender Pal Singh

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

IA-1828/2024: It is contended by the Applicant that the IA filed under Rule 154 of the NCLT, Rules 2016 was taken up for hearing in terms of the order dated 22.04.2024. In consideration of the said application filed for rectification of the order dated 13.03.2024, the order which was containing the reference to Section 95(1) of IBC, 2016, instead of Section 94(1) of IBC, 2016 was ordered to be deleted and an order containing the correct reference of the provisions of IBC, 2016, i.e. Section 94(1) was passed. Today, the Ld. RP pointed out that the order sheet does not reflect the IA-1828/2024. It is made clear that the order dated 22.04.2024 has been passed qua IA-1828/2024.

The Court Officer is directed to ensure that the disposed of IA is not reflected in future cause list.

On verification of the cause list dated 22.04.2024, we could find that the aforementioned IA viz. IA-1828/2024 was not appearing in the cause list and the order was passed on the oral plea raised by the Ld. RP. In the wake, let the matter be listed for being spoken to 03.05.2024. The relevant excerpt of the cause list reads thus:

220	(IB)-532(ND)/2023	Main Matter	Further Consideration	U/s 94(1) of IBC Code, 2016	Kapil Choudhary	Yogender Pal Singhal
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Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-
(ASHOK KUMAR BHARDWAJ)
MEMBER (J)