

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

(IB)-590/ND/2023

IN THE MATTER OF:

Kaliber Associates Pvt. Ltd.

...

Applicant/Petitioner

Versus

M/s Lion Buildcon Pvt. Ltd.

...

Respondent

Under Section: 7 of IBC, 2016

Order delivered on 08.04.2024

CORAM:

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

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

PRESENT:

For the Applicant :

For the Respondent :

HYBRID HEARING (PHYSICAL & VC)

ORDER
Urgent Mentioning

IB-590/ND/2023: On 07.02.2024 we passed the order with consent of the Counsel for the parties. The paras 6 & 7 of the order reads thus:-

“6. In the wake of the view taken by the Hon’ble Supreme Court and the submission made by the Ld. Counsel for the CD at bar that it is keen to enter into settlement with the petitioner regarding the defaulted amount, 2 weeks’ time is granted to the CD to enter into settlement. With such observation, the petition is disposed of.

7. It is made clear that if no settlement is arrived at within given time, Mr. Anirban Bhattacharya, Ld. Counsel would be entitled to mention orally before this Bench for revival of the present petition. The petition is disposed of.”

In the wake, Mr. Anirban Bhattacharya, Ld. Counsel for the Financial Creditor mentioned that the settlement as referred to in the aforementioned order has not materialized, thus the petition may be revived.

In the wake, the CP-(IB)-950/ND/2023 is directed to be revived. Issue notice of information to the CD returnable on 22.04.2024. The Applicant undertakes to serve notice upon the Respondent through all modes viz. registered post, speed post, courier service and E-mail. Affidavit of service be filed within one week. Reply, if any, may be filed by the Respondent within one week from the date of receipt of the notice. Rejoinder, if any, may be filed before the next date of hearing.

List the matter on 22.04.2024.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

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