

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

Item No. 204
(IB)-757/ND/2023

IN THE MATTER OF:

Multiplier Brand Solutions Private Limited ... Applicant/Petitioner

Versus

Amazon Wholesale (India) Private Limited ... Respondent

Under Section: 9 of IBC, 2016

Order delivered on 07.02.2024

CORAM:

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

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

PRESENT:

For the Applicant : Mr. Lakshmeesh S. Kamath, Adv, Mr. Rajesh
Khandelwal Adv, Mrs. Samriti Ahuja Adv,
Mr. Rohit Patil, Adv

For the Respondent : Adv Vijayendra Pratap Singh, Adv. Raghav Seth,
Adv. Arnab Ray, Adv. Ankitesh Ojha

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

In terms of the order dated 10.01.2024, the CD was granted 2 weeks' time to file the reply. Today i.e. on 07.02.2024, the Ld. Counsel appearing for the CD submitted that the reply could be filed only on 05.02.2024. It is not available on the DMS/e-portal of this Tribunal. It is unfortunate that the CD has shown no respect to the aforementioned order passed by this Tribunal. To make the situation worst, it has not ensure that the reply is uploaded on the DMS/e-portal of this Tribunal. Today, the Ld. Counsel appearing for the CD sought an adjournment by saying that the reply could be filed on 05.02.2024. The CD cannot make his own lapse of not filing the reply within given time as a ground to entitle it to commit another lapse. The OC is also not prepared to argue the matter. By way of sheer indulgence, the hearing is deferred to 09.02.2024. It is made clear that the reply of the CD should be uploaded on the DMS by them. Ld. Counsel for the OC should remain present physically with his written arguments, dealing with the points raised in the reply. It is

made clear that no further request for adjournment would be entertained on the next date of hearing.

The Registry will not refuse to take the reply on record, raising the objections that the same was not filed within given time.

List on 09.02.2024.

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

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