

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

**IB-34/ND/2024**

**IN THE MATTER OF:**

**Kaliber Associates Pvt. Ltd.**

...

**Applicant/Petitioner**

**Versus**

**Gulmohar Realtors 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)-34/ND/2024:** On 22.03.2024 we passed the following order:-

*“The amount defaulted to be paid by the CD qua which the captioned petition has been preferred is Rs. 1,30,00,000/-. Ld. Counsel appearing for the CD submitted that the CD is willing to enter into settlement regarding the defaulted amount with the Applicant before us. He submits that the settlement would be finalised within one week from today. As prayed by the Ld. Counsel appearing for the CD, the petition is disposed of expecting that the CD would finalise and implement the settlement within the time prayed for by him. It is made clear that if the settlement is not finalised within one week from today, Mr. Anirban Bhattacharya, Ld. Counsel would be entitled to mention for revival of the petition. It is further made clear that the statement made by the Ld. Counsel for the CD that the CD need to enter into settlement qua the*

*defaulted amount would be treated as acknowledgment of debt by the CD, if the petition is revived.*

***The present petition stands disposed of. No cost.***

2. Mr. Anirban Bhattachary, the Ld. Counsel appearing for the FC submitted that no settlement has conceded between the parties before this Tribunal on 22.03.2024 has arrived.

3. In the wake, the CP-(IB)-34/ND/2024 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)**