

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**SPECIAL BENCH (COURT - II)**

**Item No. 102**  
**(IB)-17(ND)2019**

**New IA-127/2023 New IA-162/2023**

**IN THE MATTER OF:**

**M/s. Ample Infrastructure Pvt. Ltd. ... Applicant/Petitioner**

**Versus**

**M/s. Intellicity Business Park Pvt. Ltd. ... Respondent**

**Under Section: 7 of IBC, 2016 (R. Plan)**

**Order delivered on 16.01.2023**

**CORAM:**

**SHRI. ASHOK KUMAR BHARDWAJ, SHRI. RAHUL BHATNAGAR,**  
**HON'BLE MEMBER (JUDICIAL) HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

**For the Applicant** : Adv. Kumar Mihir in IA 127 of 2023, Mr. Arun Kumar, Advocate in IA-162/2023

**For the RP** : Adv. Sumesh Dhawan, Adv. Vatsala Kak, Adv. Shaurya Shyam

**ORDER**

**IA-127/2023:** As prayed by the Ld. Counsel for the Applicant one-week time is granted to establish that the Intellicity Business Park Pvt. Ltd. is changed name of Airwill Business Park Pvt. Ltd.

He may file an affidavit with supporting documents in this regard.

List on 20.02.2023.

**IA-162/2023:** It is the case of the Applicant, espoused in the Application that the RP could not clear his dues, with the view that there are no funds available to him. It is also stated by him in the Application that the RP has assured him that the dues would be cleared at the appropriate stage as the arrangement in this regard has been made in the Resolution Plan. It is settled position of law that the dues/cost of CIRP get precedence in the Resolution Plan. The RP has also not disputed the position espoused in the application. In the wake, the application is disposed of with the direction that out of the arrangement made in the Plan regarding the cost of CIRP, the claim of the Applicant may also be considered along with other expenses and costs.

**With this, the IA stands disposed of.**

  
**(RAHUL BHATNAGAR)**  
**MEMBER (T)**

  
**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**