

**NATIONAL COMPANY LAW TRIBUNAL**  
**MUMBAI BENCH, COURT-II**

**8. IA 1576/2024 IA 1937/2023 IA 145/2024**  
**In C.P. (IB)/1028(MB)2017**

**CORAM:**

**SHRI ANIL RAJ CHELLAN**  
**HON'BLE MEMBER (T)**

**SHRI KULDIP KUMAR KAREER**  
**HON'BLE MEMBER (J)**

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 05.04.2024**

**NAME OF THE PARTIES: IA 1576/2024 Njs Engineers India Private  
Limited Vs. Pune Municipal Corporation  
IA 1937/2023 S Milind Kasodekar  
Liquidator For M/S. Phadnis  
Infrastructure Limited Vs. M/S. Asrec  
(India) Limited  
IA 145/2024 CS Milind B Kasodekar  
Liquidator for M/S. Phadnis  
Infrastructure Limited  
IN THE MATTER OF  
Shri Pramod Mahajan & Ors  
V/s  
Phadnis Infrastructure Ltd**

**Section: 9, 60(5) of Insolvency and Bankruptcy Code, 2016**

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**ORDER**

**IA No. 1576/2024**:- Adv. Prakhar Tandon a/w Adv. Agam H Maloo, Adv. Ajit Tanwar, Adv. Kushal Kumar appeared for the Applicant. Adv. Avinash R. Khanolkar a/w Adv. Surekha Yadav appeared for the Liquidator. The present application has been filed by M/s. NJS Engineers India Private Limited (successful auction purchaser) for setting aside the Outward Notice No. TGO/5290 dated 19.01.2024 and other Demand Notices issued by the Respondent No. 1 i.e. Pune Municipal Corporation. Counsel appearing for the Applicant has pointed out that the Applicant has purchased the property in

an open auction as a going concern. Respondent No 1 has initiated proceedings on the basis of some past dues amounting to Rs. 32,17,184/-. It has also been pointed out that Respondent No. 1 never filed any claim either with the Resolution Professional or Liquidator at any point of time. Counsel for the Applicant has further contended that having purchased the property from an open auction as a going concern, the Applicant cannot be held responsible for payment of any past dues. In view of the circumstances, we deem it appropriate to issue notice to Respondent No. 1 i.e. Pune Municipal Corporation intimating the next date of hearing. In the meanwhile, Respondent No. 1 will not go ahead with any auction proceedings and will also not take any coercive steps for recovery of the alleged past dues. List the IA No. 1576/2024 on **05.06.2024** for hearing.

**IA No. 1937/2023 and IA No. 145/2024**:- Adv. Avinash R. Khanolkar a/w Adv. Surekha Yadav appeared for the Liquidator. Adv. Aayush Kothari i/b V. Deshpande appeared for ASREC. At the request of the Liquidator, list the matter on **17.05.2024** for hearing

**Sd/-**

**ANIL RAJ CHELLAN**  
**Member (Technical)**

05.04.2024  
Sushil

**Sd/-**

**KULDIP KUMAR KAREER**  
**Member (Judicial)**