

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

112. Contempt Petition/6/2022

IN

C.P.(IB)-297(MB)/2018

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **12.09.2023**

NAME OF THE PARTIES: Vijisan Exports Pvt.Ltd.

V/s.

Cimme Jewels Ltd.

SECTION 9 OF IBC, 2016

ORDER

Contempt Petition No.6/2022

1. Adv. Vaibhav Kamble a/w Adv. Gulfam Khan appearing for the Petitioner is present.
2. Learned counsel appearing for the Appellant is present. Despite service of notice, none appeared for the Respondent/contemnor. However, affidavit in reply has been filed by the Respondent which is on record and has been considered.
3. Heard the counsel appearing for the Petitioner at length. After some time, it is noticed that the order of the Adjudicating Authority simply allowed the I.A. 1801 directing the Respondent to deposit the arrears in rent for the period from January 2020. However, it is noticed that there is no quantification of the amount of the arrears and in the reply affidavit the Respondent stated that the entire amount of the arrears has been deposited.

4. Upon a query put to the learned counsel appearing for the Petitioner about the quantification of the arrears for the period from January 2020 for which he seeks time to place the quantification of the amount on record through additional affidavit along with supporting documents to prove the order of the Adjudicating Authority was to make the payment of Rs. 45,47,500/- which has been denied by the Respondent more specifically in para 17 of the affidavit in reply filed by the Respondent which is as follows:

17. There is no working, neither any agreement nor there is any invoice for the claim of Rs. 45,47,500/-. Further the rent invoice should contain GST however liquidator is in non-compliance and has not paid GST.

5. Let the petitioner file addition affidavit along with supporting documents by serving an advance copy on the other side within two weeks.

6. In view of the same and request made by the petitioner, list this matter on **28.11.2023**.

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)
/RKS/

Sd/-
LAKSHMI GURUNG
Member (Judicial)