



4. At the request made by the Applicant, the present Application is **dismissed** as withdrawn.

**IA-3292/2023**

1. This is an Application filed u/s 60(5) by the Applicant. Ld. Counsel for the Applicant seeks leave of the Court to withdraw its Application. Permission granted.
2. At the request made by the Applicant, the present Application is **dismissed** as withdrawn.

**IA-4389/2023**

1. This is an Application filed u/s 60(5) by the Applicant. Ld. Counsel for the Applicant seeks leave of the Court to withdraw of its Application. Permission granted.
2. At the request made by the Applicant, the present Application is **dismissed** as withdrawn.

**IA-4246(MB)2023**

1. This is an Application filed u/s 60(5) by the Applicants seeking appropriate directions against the Respondent, the prayer is sought by the Applicant is as under;
  - a. *This Hon'ble Tribunal be pleased to pass an order directing the Respondent to ensure that the duly registered Satakhata in respect of Shop No. 6 located in the basement of the constructed building in Vikas Shoppers organized in the land bearing Original Plot No. 49/2 and Final Plot No. 49/2 admeasuring 3390 Sq. Mtr. As per T.P. Scheme, in draft T.P. Scheme No. 21 (Sarhana-Simada), the land registered as Block No. 140/A, Rev. Survey No. 143 admeasuring Hectare Area 0-52-14 Sq. Mts. As per 7/12 record, Khata No. 1474 assessed at Rs. 8.60 ps, situated at Moje village Sarhana, Taluka Puna (city), District-Surat is executed in favour of the Applicant No. 2 herein;*
  - b. *This Hon'ble Tribunal be pleased to pass an Order the Respondent to ensure that the duly registered sale deeds in respect of Shop Nos. 6, 7, 8 and 9 respectively all located in the basement of the constructed building in Vikas Shoppers organized in the land bearing Original Plot*

*No. 49/2 and final Plat No. 49/2 admeasuring 3390 sq. mts. As per T.P. Scheme, in draft T.P. Scheme No. 21 (Sarthana-Simada), the land registered as Block No. 140/A, Rev. Survey No. 143 admeasuring Hectar Are 0-52-14 sq. mts. As per 7/12 record, Khata No. 1474 assessed at Rs. 8.60 ps., situated at Moje village Sarthana, Taluka Puna (city), District-Surat are executed in favour of the Applicant NO. 2 herein;*

- c. This Hon'ble Court be pleased to direct the Respondent to ensure that all the necessary acts, deeds and/ or documents be done and caused to be done as may be thought fit in the interest of the Applicants.*
2. Ld. Counsel for the Applicants submits that the claims of the Applicants submitted before the Resolution Professional (RP) for executing the registered Sale Deed in favour of the Applicants in respect of Shop Nos. 6, 7, 8 and 9 mentioned in the prayers. Further, Ld. Counsel for the Applicants stated that he paid the part payments for all the said Shops.
  3. Ld. Counsel for the Resolution Professional submits that the Resolution Professional is admitting that the part payments are received from the Applicants. However, there are some due specifically mentioned herein for the Shop No. 7 is Rs.33,000/-, Shop No. 8 Rs. 11,800/- and Shop No. 9 is Rs. 2,200/-.
  4. During the course of the arguments, the Counsel for the Resolution Professional submitted that, if the Applicants pays the remaining balance amount, they are ready to execute the sale deed in favour of the Applicants, with responding the said proposal, the Applicant expressed his willingness to pay the remaining balance amount within one week from the date of receipt of this Order.
  5. The Counsel for the Resolution Professional stated that in respect of Shop No. 6 there is no agreement between the Corporate Debtor and the Applicant. Hence, the Resolution Professional has no power to entertain the claim. Hence, his claim is rejected.
  6. Heard both the Counsel and perused the records. This Bench takes into consideration the undertaking given by the Counsel for the both the parties. This Bench hereby directs the Applicants to pay the remaining

balance amount within one week from the date of receipt of this order and the Resolution Professional is to take steps after receiving the amount for executing the registered sale deed with regard to the Shop Nos. 7, 8 and 9 within one week, thereafter.

7. This Bench observes that the claim in respect of the shop No. 6, the Applicant does not have any valid agreement or documentation to support his claim. In the absence of any valid agreement, the decision taken by the Resolution Professional/ Committee of Creditors is hereby confirmed by this Bench.
8. With the aforesaid observations/ direction, the present Application is partly **allowed** and disposed of accordingly.

**IA-4260(MB)2023**

1. No representation on the part of the Applicant. Mr. Akshay Petker, Ld. Counsel for the Respondent present.
2. Post IA on **06.03.2024** for further consideration.

**IA-4513(MB)2023**

1. Mr. Akshay Petkar, Ld. Counsel for the Applicant present. Ms. Prashansa Agrawal, Ld. Counsel for the suspended Board of Director(s) present.
2. Ld. Counsel for the suspended Board of Director(s) submits that all the pending documents/ information will be provided within one week. The said submissions of the Counsel for the suspended Board of Director(s) are noted.
3. With the aforesaid direction/ observation, the IA is **disposed of** accordingly. However, the disposal of the present IA shall not fetter the Applicant herein to file appropriate contempt Application against the suspended Board of Director(s), in case, they fail to provide the documents/ information to the RP.

Sd/-

**ANU JAGMOHAN SINGH**  
**Member (Technical)**

/Dubey/

Sd/-

**KISHORE VEMULAPALLI**  
**Member (Judicial)**