

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

16.

C.P. (IB)/541(MB)2023

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **15.04.2024**

NAME OF THE PARTIES:

Puranik Builders Limited

Vs.

Supreme Construction And
Developers Private Limited

SECTION: 9 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016.

ORDER

1. Mr. Shyam Kapadia a/w Adv. Ashutosh Agarwal i/b IC Legal, Ld. Counsel for the Operational Creditor present. Mr. Gaurav Joshi a/w Mr. Gaurav Mehta, Vijeet Trivedi i/b Ganesh & Co., Ld. Counsel for the Corporate Debtor present.
2. The Counsel for the Corporate Debtor submits that one-week time was granted to file reply on 06.09.2023 with the observation that if the reply is not filed within one week, the right to file reply will be forfeited. The Ld. Counsel for the Corporate Debtor submits that as per direction by this Bench, the Corporate Debtor has not filed reply within time but the right to file reply was not forfeited in the next hearing. On 09.10.2023, at the request of Proxy Counsel for the Operational Creditor, the matter was adjourned to 09.11.2023 for hearing. Therefore, the Corporate Debtor filed IA-5059(MB)2023 seeking recalling of the order dated 09.10.2023, which was dismissed by this Bench on the ground of no valid reasons stated for recalling the order. However, against this dismissal order, the

Corporate Debtor had filed appeal before the Hon'ble NCLAT, which was dismissed on 01.03.2024. Ld. Counsel for the Corporate Debtor submits that he has filed SLP before the Hon'ble Supreme Court, which is still pending and seeks three weeks' time for reporting the result of the Hon'ble Supreme Court.

3. List this matter for further consideration on **10.06.2024**.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)