

Horizon Crest India Real Estate & Ors vs Three C Universal Developers Pvt Ltd & ... on 19 March, 2020

Author: V. Kameswar Rao

Bench: V. Kameswar Rao

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ O.M.P.(I) (COMM.) 217/2019 & IAs. 10427/2019, 11332/2019, 14613/2019, 15417/2019, 15440/2019, 15441/2019, 15971/2019, 16000/2019, 17673/2019 and 1166/2020

HORIZON CREST INDIA REAL ESTATE
& ORS.

.....
Through: Mr. Ciccu Mukhopadhaya, Sr. Adv.
with Mr. Saurav Agrawal, Mr. Saurav
Madhav Misra, Mr. Ribhu Garg, Mr. Akash
Akash Ray and Mr. Kapil Ruia, Adv.
Advs.

versus

THREE C UNIVERSAL DEVELOPERS PVT LTD
& ORS.

.....
Through: Mr. Sudhanshu Batra, Sr. Adv.
Mr. Rishi Kapoor, Mr. Sati, Mr. Kartik
Mr. Kartik Bhardwaj, Adv.
respondent nos. 2, 5, 6, 7, 8, 9, 10, 11, 12,
to 15, 17, 18, 19, 20, 25, 26, 27, 28, 29,
Mr. Krishnendu Datta, Mr. Shivambika Sinha,
Ms. Shivambika Sinha, Ms. Neelambika Singh and
Ms. Mehak Khurana, Adv.
respondent no.21.
Mr. Bhuvan Gugnani, Mr. Saikat, Mr. Saikat
Rekhi and Mr. Lakshay Amba, Adv.
Adv. for applicant in IA No. 10427/2019,
and 15441/2019.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% 19.03.2020 This matter has been listed today on a mentioning made by the petitioner before the learned Joint Registrar. The mentioning was made in view of the order passed by the Supreme Court on March 6, 2020 which reads as under:

"We have heard Mr. Gourab Banerjee, learned counsel appearing on behalf of the petitioners. We request the High Court to take up all Section 9 Petitions on the next

date of hearing i.e. 17th March, 2020. We make it clear that the pendency of this SLP will not be an impediment for the High Court to take up and dispose the matter.

List the matter on 20th March, 2020."

This matter along with the connected matters were to be listed on March 17, 2020, but got adjourned in view of the notification dated March 16, 2020 issued by this court inasmuch as the matters of March 17, 2020 shall be adjourned to April 14, 2020.

In view of the order passed by the Supreme Court, this matter has to be heard. Today, respondent nos. 2, 5, 6, 7, 8, 9, 11, 13 to 15, 17, 18, 19, 20, 25, 32 and 33 are being represented by Mr. Sudhanshu Batra, learned Sr. Counsel briefed by Mr. Rishi Kapoor, Adv. Mr. Krishnandu Datta, Advocate appears for respondent no. 21 and Mr. Vinayak Mehrotra, Advocate appears for respondent nos. 3 and 4.

I have been informed that respondent nos. 1, 12, 29, 31 and 39 are before the NCLT and IRPs have been appointed. Appropriate shall be on the petitioner furnishing the details of the IRPs appointed against the said respondents, notice shall be issued for service on the IRPs:

Respondents Name of IRPs Reg. No. Three C. Universal Mr. Rajesh Kumar IBBI/IPA-001/IP-P00833/2017-18/11418 (respondent no.1) Gupta Boulevard Projects Mr. Amit Agrawal IBBI/IPA-002/IP-N-00185/2017-18/10456 (respondent no.

12)		
Three C Projects	Mr. Manish Kumar	IBBI/IPA-001/IP-P00
(respondent no.	Gupta	
31)		
Three C Homes	Mr. Gaurav Katiyar	IBBI/IPA-001/I
(respondent no.		
29)		
Granite Gate	Mr. Chandra Prakash	IBBI/IPA-001/I
Properties		
(respondent no.39)		

I take on record the submission made by Mr. Batra today that on the last date of hearing, his presence has been wrongly recorded for respondent nos. 1, 30 and 31. The said error is corrected.

Respondent nos. 10, 26, 27, 28, 30, 34, 35, 36, 37 are unrepresented today. Let notice dasti as well be issued for service on the said respondents and their counsels returnable on April 1, 2020, the date requested by the counsel for the parties in view of the situation prevailing because of COVID-19.

V. KAMESWAR RAO, J MARCH 19, 2020/jg