



IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-513

IB-16/PB/2017

IA/3698/2024, IA/3373/2024, IA/3100/2024, IA/2884/2024, IA/2480/2024,
IA/1761/2024, Intervention Petition/19/2024, IA/308/2024, IA/270/2024,
IA/6534/2023, IA/5020/2023, IA/2372/2022, CA/922/2019

IN THE MATTER OF:

Anil Mahindro & Anr.

.....Applicant

Vs.

Earth Iconic Infrastructures Pvt. Ltd.

.....Respondent

SECTION

U/s 7 IBC Liq.

Order delivered on 02.08.2024

CORAM:

SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)

Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant	: Ms. Pooja Mehra Saigal, Mr. Abhishek Anand, Mr. Rajat Joneja, Ms. Sakshi Kapoor, Mr. Anmol Kumar, Advs. for (Ansal IT City and Parks Ltd.) Ms. Shubhangini Yadav, Mr. Ankur Saraswat, Mr. Shashank Raghav, Advs. IA/3698/2024, IA/5020/2023 & IA/270/2024
For the Respondent	: Mr. Sethu Mahendran, Mr. Anshul Rawat, Mr. Saurabh George, Advs. in IA/2372/2022 for R 2 (NOIDA Special Economic Zone)
For the Liquidator	: Mr. Sunil Fernandez, Sr. Adv., Ms. Honey Satpal, Ms. Nandini Chaudha, Mr. Yash Dhyani, Advs.
For the GNIDA	: Mr. U.N. Singh, Ms. Sandhya Chaturvedi in IA/2372/2022

ORDER

IA/3698/2024:-

This is an application filed under Section 60(5) of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016, in which one of the prayers is seeking



direction to the Liquidator not to proceed with the E-Auction of the Corporate Debtor and withdraw the E-Auction notice. We have heard the submissions made by the Ld. Counsels on behalf of the Applicants and Ld. Senior Counsel on behalf of the Liquidator. Ld. Counsel on behalf of the Greater NOIDA Authority also appears and has submitted various objections on the process of the E-Auction of the Corporate Debtor. It is the contention of the Ld. Counsel on behalf of the Greater NOIDA Authority that the Liquidator has not admitted the claim of the Greater NOIDA Authority in terms of the judgment of the Hon'ble Supreme Court in Prabhjit Singh Soni case and without admitting their claim and making them as a party of the Stakeholders Consultation Committee, the Liquidator has taken further steps.

The Liquidator is directed to examine the claim of the Greater NOIDA Authority in terms of the judgment of the Hon'ble Supreme Court in Prabhjit Singh Soni case and take all appropriate actions including making the Greater NOIDA Authority as a member of the Stakeholder Committee if they are entitled to do so as per law. We direct that till this issue is decided, further proceeding in respect of E-Auction shall not take place. List this application on **27.08.2024 at 11:30 am.**

List all other applications on **27.08.2024 at 11:30 am.**

Sd/-
(Dr. SANJEEV RANJAN)
MEMBER (T)

Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)