

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 466 of 2024

&

I.A. No. 2321, 2334 of 2024

IN THE MATTER OF:

Amulya Kumar Mishra

...Appellant(s)

Versus

Splendor Landbase Ltd. & Anr.

...Respondent(s)

Present:

For Appellant : Mr. Saurabh Kalia, Mr. Gajanad Kirodiwal, Advocates.

For Respondents : Mr. Siddharth Bhatli, Ms. Khyati Jain, Advocates
Mr. Sameer Rastogi, Advocate for intervenor in IA No. 2321 of 2024.

O R D E R
(Hybrid Mode)

27.08.2024: This appeal has been filed against the order dated 27.02.2024 by which order Adjudicating Authority has admitted Section 9 application filed by the Operational Creditor. Interim order was passed in this appeal on 07.03.2024 which was to the following effect:

“Learned counsel for the Appellant submits that the Section 9 application was filed for Principal Amount of Rs.1,97,78,222/-. Learned counsel for the Appellant submits that the Appellant has offered Rs.3.2 Crores before the Adjudicating Authority, which was however not accepted by the Respondent. He submits that the Appellant is still willing to deposit sum of Rs.3.2 Crores in the Court.

Let the Principal Amount be deposited by the Appellant within one week and rest of the amount of Rs.3.2 Crores be deposited within two weeks thereof. The amount shall be deposited by way of interest bearing FDR in the name of Registrar, NCLAT.

List this Appeal on 03.04.2024.

In the meantime, no further steps shall be taken in pursuance of the impugned order.

Liberty is sought by the homebuyers to file an Intervention Application. Intervention Application may be filed within one week”.

2. IA No. 5935/2024 has been filed to bring on record the settlement deed dated 18.07.2024 between the parties.
3. Ld. Counsel for the parties prays that the appeal be disposed of in terms of the settlement deed and the CIRP be terminated with liberty to revive if any, such cause arises. Settlement is taken on record.
4. Order dated 27.02.2024 is set aside. CIRP closed. Liberty to revive if any, such cause arises.
5. Amount deposited by order dated 05.07.2024 be handed over to the Respondent No. 1 along with the interest.
6. In view of the CIRP having been closed, the Intervention Application Nos. 2321, 2334 of 2024 are disposed of accordingly.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

[Arun Baroka]
Member (Technical)

sr/nn
Comp. App. (AT) (Ins) No. 466 of 2024