

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 8
(IB)-1718(PB)/2018

IN THE MATTER OF:

Shiv Dayal Sharma & ors.

.... Applicant/petitioner

Vs.

Three C Projects Pvt Ltd.

.... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on 27.09.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR

HON'BLE PRESIDENT

SH. S. K. MOHAPATRA

HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the applicant

Mr. Pradeep Mishra, Mr. Daleep, Advs.

For the RP

Mr. Abhishek Anand, Adv.

ORDER

CA-1956(PB)/2019:-

Notice of the application.

Mr. Anand, learned counsel for the non-applicant-RP accepts notice. He shall seek instructions on the allegations made in the application that the electricity supply is being used by entity other than the corporate debtor. In fact the order dated 13.09.2019 has permitted the use of electricity supply only for the purposes of the use of the corporate debtor so that it continues remain as a going concern.

List on 01.10.2019.

CA-1978(PB)/2019:-

Report filed by the RP certifying the constitution of the CoC along with other documents is taken on record subject to all just



exceptions. The office is directed to maintain the record and put up the same before the Bench at the time of final hearing.

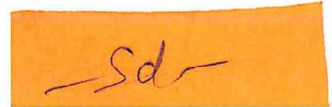
The application stands disposed of.

CA-1957(PB)/2019:-

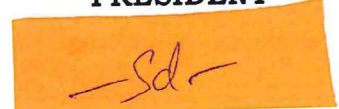
This is an application for appointment of Mr. Durga Das Agarwal as an Authorised Representative for class of creditors i.e. allottees under the real estate project in terms of the provisions of the Code and direct him to act in accordance with the provisions of the Code and the Regulations framed thereunder. The Authorised Representative is supposed to act in accordance with the provisions of the Code as well as the Regulations.

A perusal of the averments made in the application shows that Mr. Durga Das Agarwal has secured 874 votes which is the higher than Mr. Vijay Kishore Saxena (22) and Mr. Yogesh Kumar Gupta (10). Accordingly, we appoint Mr. Durga Das Agarwal who has got the majority votes.

The application stands disposed of.



**(M.M.KUMAR)
PRESIDENT**



**(S. K. MOHAPATRA)
MEMBER (TECHNICAL)**