

ITEM NO.43

COURT NO.8

SECTION XIV

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 12150/2019
 (Arising out of impugned final judgment and order dated 27-03-2019
 in CM(M) No. 494/2019 passed by the High Court Of Delhi At New
 Delhi)

ANJALI RATHI & ORS.

PETITIONER(S)

VERSUS

TODAY HOMES AND INFRASTRUCTURE
 PRIVATE LIMITED & ORS.

RESPONDENT(S)

(WITH I.A.NO.168469/2019-IMPLEADMENT)

WITH

C.A.No.5231-5238/2019 (XVII-A)

(IA No.81972/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT and IA No.81971/2019-CONDONATION OF DELAY IN FILING
 APPEAL)

Date : 02-12-2019 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
 HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Mr.Pawanshree Agrawal, AOR
 Ms.Abhipsa Anamika, Adv.

For Respondent(s)

Mr.Shyam Divan, Sr.Adv.
 Mr.Mahesh Agarwal, Adv.
 Mr.Shubam Kulsheshtra, Adv.
 Mr.Nishant Rao, Adv.
 Mr.Rohan Talwar, Adv.
 Mr.E.C.Agrawala,

Mr.Sushil Kaushik, Adv.
 Mr.Manoj Yadav, Adv.
 Ms.Niharika Dudeja, Adv.
 Mr.Gaurav Jain, Adv.
 Ms.Seema Jain, Adv.
 Ms.Anushi Krishna, Adv.
 Mr.Rajat Parolia, Adv.
 Ms.Anupa Mathur, Adv.
 Mr.Ranbir Singh Yadav, AOR

UPON hearing the counsel the Court made the following
O R D E R

On 11 September 2019, this Court was informed that seven out of the thirteen petitioners had settled their disputes regarding four apartments in the housing project and four Deeds of Settlement were executed. The Court observed that parties shall implement the settlement.

During the course of hearing Mr Shyam Divan, learned Senior Counsel submitted that on 31 October 2019, the National Company Law Tribunal has admitted proceedings under the Insolvency and Bankruptcy Code against the respondent in terms of Section 9(5) of the IBC 2016, as a consequence of which a moratorium has come into effect.

Mr Shyam Divan, submits that Interim Resolution Professional (IRP), Mr Deepak Bansal, appointed by the NCLT has instructed him to place the aforesaid developments on record.

At this stage, we would expect the IRP to be duly apprised of the fact that on 11 September 2019, a statement was made before this Court regarding the settlements which were arrived at between seven out of the thirteen petitioners and the Court had categorically observed that parties shall implement the settlement.

In this view of the matter, let the IRP apprise this Court on the next date of listing of the further steps which are envisaged to be taken. The application for impleadment of the IRP is accordingly allowed. Notice shall issue to the IRP.

List the matters on 16 December 2019.

(Ashok Raj Singh)
Court Master

(Saroj Kumari Gaur)
Court Master