

NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 676 of 2022 &
I.A. No. 4972, 4946 of 2022 & I.A. No. 91,92 of 2023 & 164 of 2023

IN THE MATTER OF:

Ajay Singal

...Appellants

Versus

**Gaurav Katiyar Interim Resolution Professional of GRJ
Distributers and Developers Pvt. Ltd. & Ors.**

...Respondent

Present:

For Appellants : Mr. Vivek Kohli, Sr. Advocate along with Mr. Monish Surendram & Ms. Nishtha Grover, Mr. J.Rawal Advocates.

**For Respondent : Ms. Honey Satpal & Ms. Pranati Bhatnagar, Advocate for IA No. 136 & 141 of 2023
Mr. Gautam Singh, for IA No. 164 of 2023
Ms. Pranati Bhatnagar for IA No..9`& 92 of 2023
Mr. Piyush Singh, Mr. Akshay Srivastava & Ms. Riddhi Jain, for R-2 to 47.
Mr. Rishabh Jain, Mr. Nikhil Verma, for IRP**

O R D E R

13.03.2023

IA No. 136 of 2023 and IA No. 141 of 2023

The Applicants have filed two applications bearing IA No. 136 of 2023 for intervention and IA No. 141 of 2023 for clarification of the order passed by this Tribunal dated 13.06.2022.

Counsel for the Applicant has submitted that the Applicants are the homebuyers in the Rosewood Project which has also been floated by the Corporate Debtor i.e. M/s. GRJ Distributors and Developers Pvt. Ltd.

Counsel for the Applicant candidly submitted that the said project has also come in insolvency in view of the order passed by the Adjudicating Authority dated 16.02.2023 in Company Petition No. IB-477 (ND) /2021 filed

by Mr. Umesh Chander and Ors. under section 7 of the 'Insolvency and Bankruptcy Code, 2016' (hereinafter referred as to 'Code') which has been admitted on 16.02.2023 by the Adjudicating Authority and the moratorium has been imposed. In view thereof, she has submitted that both the applications bearing IA No. 136 of 2023 and IA No. 141 of 2023 have become infructuous.

Mr. Vivek Kohli, Sr. Counsel for the non-applicant has also made the same statement that in view of the admission of the Company Petition No. IB-477 (ND) /2021 on 16.02.2023 by the Adjudicating Authority, these applications have become infructuous.

In view of the aforesaid facts and circumstances of the case, both applications bearing IA No. 136 of 2023 and IA No. 141 of 2023 are hereby dismissed as infructuous.

IA No. 164 of 2023

Counsel for the non-applicant prays for an adjournment to seek instructions as to whether this application is still survives even after the admission of Company Petition No. IB-477 (ND) /2021 on 16.02.2023. Adjourned to **10th April, 2023**.

IA No. 91 & 92 of 2023

Counsel for the non-applicant prays for an adjournment to seek instructions as to whether these applications is still survives even after the admission of Company Petition No. IB-477 (ND) /2021 on 16.02.2023. Adjourned to **10th April, 2023**.

Company Appeal (AT) (Ins) No. 676 of 2022

List this appeal on **10th April, 2023.**

**[Justice Rakesh Kumar Jain]
Member (Judicial)**

**[Mr. Naresh Salecha]
Member (Technical)**

Raushan/RR