<u>NATIONAL COMPANY LAW APPELLATE TRIBUNAL</u> <u>NEW DELHI</u> Company Appeal (AT) (Ins) No.136 of 2020

 IN THE MATTER OF:

 Seems Sundd
 ...Appellant

 Versus
 ...Respondents

 Investor Clinic Infratech Pvt. Ltd. & Anr.
 ...Respondents

 For Appellant:
 Shri Davesh Bhatia and Ms. Damini Bisht, Advocates

 For Respondents:
 None

<u>O R D E R</u>

24.01.2020 The Counsel for Appellant states that in the Appeal Page – 7, he will delete portion where National Company Law Tribunal is shown as Respondent No.2. He states that in the Memo of Parties, he will delete reference to Respondent No.2 – Ministry of Corporate Affairs.

Counsel for Appellant states that the Appellant had earlier booked a flat in Amrapali Dream Valley Pvt. Ltd. (Annexure – 1) but subsequently, a Tripartite Agreement was entered into between the Appellant and Amrapali and Respondent No.1 - Investor Clinic Infratech Pvt. Ltd., vide which the money paid by Appellant was transferred to Respondent and Respondent was to invest the same in separate property identified/suggested by the Respondent.

With regard to the Ordinance referred in the Impugned Order, it is stated that the Hon'ble Supreme Court has in Writ Petition (Civil) No.26/2020 in the matter of **"Manish Kumar versus Union of India & Anr."** directed that:- "Issue notice.

Status quo, as of today, with respect to the pending applications, shall be maintained in the meanwhile."

Thus, according to the Counsel, the Ordinance with regard to requiring the allottees to modify the pending Applications to comply with the first and second Proviso below Section 7(1) of IBC has been stayed.

Issue Notice returnable on 20th February, 2020. Requisite along with process fee, if not filed, be filed by 27.01.2020. If the Appellant provides the e-mail address of Respondents, let notice be also issued through e-mail.

List the Appeal 'for admission (after Notice)' on 20th February, 2020.

[Justice A.I.S. Cheema] Member (Judicial)

> [Kanthi Narahari] Member (Technical)

/rs/md

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