

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 1103 of 2019**

**In the matter of:**

**Brice Town Planner Pvt. Ltd.**

**....Appellant**

**Vs.**

**Chidambaram Narayanam & Anr.**

**....Respondents**

**For Appellant: Ms. Abhijeet Sinha and Mr. Kartik Bhagat, Advocates**

**For Respondent: Mr. Amit Bhatnagar and Ms. Namrata Ranga,  
Advocates (R-1)  
Ms. Srishti Juneja, Advocate (R-2)**

**ORDER**

**18.02.2020:** Counsel for the Appellant states that the Agreement to sell was created in duplicate and both were treated as originals. He states that he wants to file a photo copy of the original which the Appellant has. Earlier the photocopy filed was of the original which was given to the original allottee (Respondent No- 1).

Counsel for the Respondent No. 1 states that Respondent No. 1 was not party to such document and they never received any original or photocopy of the alleged agreement to sell. He wants to file an Affidavit also in support of his submission.

The Appellant may file Affidavit along with the photocopy of the alleged Agreement to sell within a week. Counsel for the Respondent No. 1 is submitting that the Respondent did not enter into any such Agreement and the document

tendered is forged. The Respondent No. 1 may file Affidavit in reply to the Affidavit which the Counsel for the Appellant wants to file.

List the Appeal 'for admission (after notice)' on **16<sup>th</sup> March, 2020**.

The pendency of this Appeal will not come in the way of Adjudicating Authority (National Company Law Tribunal, New Delhi, Principal Bench) to proceed as per Law with the application under Section 7 which is said to be pending with the Adjudicating Authority.

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

**[Justice Anant Bijay Singh]**  
**Member (Judicial)**

**[Kanthi Narahari]**  
**Member (Technical)**

ha/sim/md