

IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III

Item No. 112

New IA-4639/2023 IA-2504/2021 IA-4956/2021 IA-2952/2023 IA/446/2021
In
(IB)-2130(ND)2019

IN THE MATTER OF:

M/s. Dynacon Projects Pvt. Ltd.

.....APPLICANT/PETITIONER

Vs.

M/s. Today Homes & Infrastructure Pvt. Ltd.

.....RESPONDENT

SECTION

U/s 9 of IBC, 2016

Order delivered on 01.09.2023

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP : Mr. Saurabh Kirpal, Sr. Adv, Mr. Kanishk Khetan, Adv &
Ms. Anushka Sarker, Adv
For the Applicant : Mr. Mohit Aggarwal, Advocate in IA 4639/2023.
Mr. Anurag Bhatt, Adv Bilal Ali in IA No. 2952/23
For IREDA : Ms. Aditya Vashisth, Ms. Himanshi Rajput, Advocates

ORDER

New IA-4639/2023:-

This application has been filed seeking the following prayers: -

- a) *Direct Respondent to admit the claim of the Applicant as per Section 102 of the Insolvency & Bankruptcy Code, 2016 read with rule 8A of the IBBT (Insolvency Resolution process for Corporate Persons) Regulations, 2016;*
- b) *Direct Respondent to include the Applicants' name in the list of creditors and consequently in the Committee of Creditors with proportional voting rights; or in the alternative;*
- c) *Direct Respondent to include the details of the Applicant's claim in a revised Information Memorandum to be shared with prospective resolution applicants;*

- d) *Direct the resolution applicants to accordingly submit a revised resolution plan;*
- e) *Direct the CoC to consider the addendum or revised resolution plan afresh and approve/reject the same on merits; and*

In the light of order passed by this Adjudicating Authority on 23.08.2023 in IA-1161/2022 & batch, the Resolution Professional is directed to consider the claim filed by the Applicants and treat the Applicants at par with other creditors.

IA disposed of.

IA-2504/2021 IA-4956/2021 IA-2952/2023 IA/446/2021:-

List these applications on **14.09.2023** along with IA-1493/2021 for arguments.

It is made clear to the parties that no further adjournment will be granted on the next date of hearing.

Matter will be heard in physical mode.

Sd/-

**(ATUL CHATURVEDI)
MEMBER (TECHNICAL)**

Sd/-

**(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)**