

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III**

Item No. 401 (Clarification)

IA/3356/2020 IA/3629/2020 IA- 5001/2021

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 29.08.2023

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. Humray Bir Singh,
Ms. Vatsala C. Chaturvedi, Mr. Puneet Rathi,
Ms. Sehr Chopra, Advocates for RP, Mr. Saurabh Kirpal,
Mr. Kanishk Khetan, Advocates

For the Respondent:

Mr. Rajesh Kr. Gautam, Mr. Anant Gautam,
Mr. Sumit Sharma, Mr. Dinesh Sharma, Advocates

ORDER

IA/3356/2020 IA/3629/2020 IA- 5001/2021:-

These applications were listed seeking clarification on the following aspects:-

1. Who has the actual physical possession of the land in dispute as on date and from which date, supporting documents in this regard shall be filed.
2. Present status of Civil Suit No. 3694/2019 and the Restoration Application filed before the Civil Judge, Senior Division, Gurugram.
3. Present status of the Execution Proceedings bearing CIS NO. EXE 312/2019 against M/s. New India City Developers Private Limited.

4. The Development Agreement was executed by the land owners with M/s. New India City Developers Private Limited. The RP to clarify how the development rights flowed from M/s. New India City Developers Private Limited to the Corporate Debtor or to any other stakeholder with supporting documents and with respect to the extent of the land.
5. The RP shall also give a break-up in a tabular form of the land transferred or given to M/s. New India City Developers Private Limited, Corporate Debtor and any other stakeholders involved in this matter along with relevant documents, if any.

The Resolution Professional shall file an affidavit clarifying the above aspects within one week.

The Respondent Nos. 1 to 4 (Landowners) are also at liberty to file an affidavit.

List the matter on **06.09.2023**.

Sd/-
(ATUL CHATURVEDI)
MEMBER (TECHNICAL)

Sd/-
(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)