

**NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH**

(IB)-17(ND)2019

**CORAM:**

**PRESENT: MR. L.N. GUPTA**  
**HON'BLE MEMBER(T)**

**MS. INA MALHOTRA**  
**HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI  
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 31.10.2019**

**NAME OF THE COMPANY: M/s. Ample Infrastructure Pvt. Ltd. V/s. M/s.  
Intellicity Business Park Pvt. Ltd.)**

**SECTION OF THE COMPANIES ACT: 7 of IBC, 2016**

<b>S.NO.</b>	<b>NAME</b>	<b>DESIGNATION</b>	<b>REPRESENTATION</b>	<b>SIGNATURE</b>
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<b>Present for the Petitioner:</b>	Mr. Sarvash Kashyap, RP Mr. Ahsan Ahmad & Mr. Dhrubajit Saikia, Advocate			
<b>Present for the Respondent:</b>	Mr. Mokarand D. Adkar with Mr. Dhaval Deshpandey Advocates for R-3 & R-4 Ms. Surabhi Maheshwari, Advocate for R-6 Mr. Akhil Nene, Advocates for R-1 & R-2			

**ORDER**

CA 1149/2019 has been filed by the RP seeking various directions from this Bench. Pursuant to the notice issued, Respondents 3 & 4 are personally present in court. They have no objection in referring the matter to the SFIO to conduct investigation into the affairs of the Corporate Debtor as well as that of Ascot Pvt. Ltd. in whose name the land of the project stands. Both the aforementioned respondents are present in court and fully support the prayer of the RP.

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It is further brought to our knowledge that Respondents 1 & 2 are in custody in an FIR filed with the EOW of the Delhi Police. While granting Bail to Respondents no. it is observed by the Ld. Session Judge, Delhi that the respondent is the victim and investor in this case. The said order has been placed on record. It is further submitted by Ld. Counsel and confirmed by the RP that the Directors in charge of the project were R1 & R2.

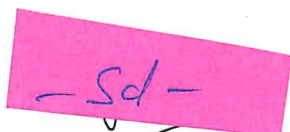
Ms. Surbhi Maheshwari has put in appearance on behalf of the Mr. Vikas Bhagat, Respondent no. 6. She submits that the respondent is unable to appear in court on account of medical reasons but has assured that full co-operation shall be extended by him to the RP. The RP on the other hand has alleged that there is serious apprehension of respondent no. 6 fleeing from the territorial jurisdiction of this country. Accordingly, Respondent No. 6 is directed to deposit his passport within 2 days.

It is further submitted by Ld. Counsel for the RP that the complete list of allottees have not been provided to him and neither have the financial statements. Further, it is submitted that the registered office of the Corporate Debtor is vacant and has been sealed by the Income Tax Authorities. All documents pertaining to the corporate debtor have been seized. It is therefore directed that the list of seizure be procured from Respondent No. 8 i.e. the Income Tax Dept. Upon scrutinising, further directions shall be given to the Income Tax Dept. as to which copies are required to proceed with the Resolution

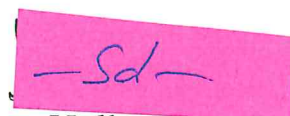
Process. Notice be effected on the Income Tax Officer. Dasti returnable on 4<sup>th</sup> November, 2019.

Ld. Counsel for the respondent no. 2 is directed to give details of the FIR and in whose custody the Respondent no. 2 is whether judicial or police custody, to enable the RP to procure further details.

As none is present on behalf of respondent no. 5 Kamal Aggarwal, S/o Madan Lal Aggarwal, House No. 31B, Gali No. 5 Krishna Kunj, Laxmi Nagar, Shankar Pur, New Delhi 110092, bailable warrants in sum of Rs. 20,000/- be issued to secure his presence in Court to be effected through the concerned police station. To come up on 4<sup>th</sup> November, 2019.



**(L.N. Gupta)**  
**Member (T)**



**(Ina Malhotra)**  
**Member (J)**