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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS (OS) 473/2019

I.A. 12653/2019 (under Order XXXIX Rule 1 and 2 CPC)

MRS. GOHAR FATIMA & ORS.

.....Plaintiff

Represented by: Mr.Jai Sahai Endlaw, Advocate.

versus

M.K. OVERSEAS PVT. LTD.

..... Defendants

Represented by: Mr.Anoop Prakash Awasti, Advocate
for the applicant

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **21.10.2020**

The hearing has been conducted through Video Conferencing.

I.A.9184/2020 (under Section 151 CPC –early haring –by Insolvency Professional)

1. By this application filed on behalf of the Insolvency Professional Mr.Suresh Kumar Jain, appointed on behalf of defendant, early hearing of the suit and applications for injunction is sought on the ground that the reliefs in the plaint are barred by the provisions of Insolvency and Bankruptcy Code (IBC).
2. Considering the urgency involved, suit and application as also I.A. 9185/2020 under Order VII Rule 11 CPC by the Insolvency Professional are taken up for hearing.
3. Application is disposed of.



CS (OS) 473/2019

I.A. 12653/2019 (under Order XXXIX Rule 1 and 2 CPC)

I.A.9185/2020 (under Order VII Rule 11 CPC-by Insolvency Professional)

1. By this suit, plaintiff inter alia seeks the relief of declaration of sale deeds dated 20th March, 2018 executed by the defendant in favour of the plaintiff Nos.1A, 1B, 1C and plaintiff No.2 and plaintiff No.3 as void ab initio and consequential cancellation of the registered sale deed executed by the defendant besides recovery of a sum of ₹35 lakhs. The suit came up before this Court on 13th September, 2019 when this Court while issuing summons in the suit and notice in the application under Order XXXIX Rule 1 and 2 CPC to the defendant directed the parties to maintain status quo in respect to the flats in property bearing 19/C, Ansari Nagar, Darya Ganj, New Delhi, Municipal No.4611, Ward No.XI.
2. By I.A. No.9185/2020 Resolution Professional informs that a moratorium has been issued by the learned NCLT vide order dated 19th September, 2019.
3. In view of the moratorium being issued by the learned NCLT on 19th September, 2019, the proceedings before this Court in the suit and applications are adjourned sine die with liberty to the parties to revive the same, if so required.
4. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

OCTOBER 21, 2020

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