

\$~1 (company matter)

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

+ CO.APPL.Nos. 286-287/2020 in CO.PET. 704/2014

SH. AMARPREET SINGH OBEROI & ORS. ...Petitioners
Through: Mr. Aman Nandrajog, Adv. for
applicant in Co. Appls. 286-
287/2020

versus

M/S A. N. BUILDWELL PVT. LTD. ... Respondent
Through: Mr. Kunal Sharma, Adv. for
Official Liquidator

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

% **ORDER**
01.06.2020

This matter has been taken up for hearing by video-conferencing, consequent to listing thereof having allowed by the Registrar.

CO.APPL. 287/2020 in CO.PET. 704/2014

1. This application seeks exemption from notarisation of the affidavit, accompanying the application i.e. Co.Appl. 286/2020, and payment of court fees on the latter application.

2. In view of the presently prevailing situation, where a lockdown has been imposed consequent on the COVID-2019 pandemic, and in view of the order dated 4th April, 2020 passed by this Court on the CO.PET. 704/2014

administrative side, the applicant is permitted to file duly notarised affidavit, and deposit the requisite court fees within two weeks of resumption of normal court work.

3. The application is allowed to the aforesaid extent.

CO.APPL. 286/2020 in CO.PET. 704/2014

1. This application seeks advancement of the next date of hearing in Co. Appl. 966/2019, and also reiterates the prayers, in the said Co. Appl. 966/2019, for release of a sum of ₹ 1,34,54,305/-, stated to be due to the applicant, from M/s A.N. Buildwell Pvt. Ltd., presently under liquidation.

2. Co. Appl. 966/2019 is taken up for hearing forthwith.

3. Prayer (a) in this application stands allowed accordingly.

4. Insofar as prayer (b) in the present application is concerned, Mr. Aman Nandrajog, learned counsel for the applicant, points out that a response to Co. Appl. 966/2019 already stands filed by the Official Liquidator, and that the claim of the applicant has been verified, in the said response, to be correct and the amount payable.

5. Before passing any orders on the said application, I deem it appropriate to direct the Official Liquidator to place, on record, the latest liquidity position of the company.

6. In case the company is not found in possession of liquid assets, on the basis of which the aforesaid amount could be paid to the applicant, the affidavit would also point out whether the amounts could be realised by way of sale of any of the assets of the company.

7. Let an affidavit, in the above terms, be filed within a period of ten days.

8. Renotify on 15th June, 2020.

9. The next date already fixed in Co. Appl. 966/2019 i.e. 13th July, 2020, stands cancelled.

10. Copy of this order shall be uploaded on the website positively within 24 hours and also forwarded to the counsel for the parties via email.

C. HARI SHANKAR, J.

JUNE 01, 2020

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