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

+ CO.APPL.322/2020 in CO.PET. 704/2014

SH. AMARPREET SINGH OBEROI & ORS.Petitioners
Through: Mr. Vikrant Pachnanda, Adv.
for P-2/Schleicher Intec
Pvt.Ltd.

versus

M/S A.N. BUILDWELL PVT. LTD. ...Petitioner
Through: Mr. Kunal Sharma, Adv. for the
Official Liquidator
Mr. Jaideep Singh in person in
C.A. 322/2020

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

ORDER
07.09.2020
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(Video-Conferencing)

1. The reply of the Official Liquidator, to this application, is not on record. Mr. Kunal Sharma, learned Counsel for the Official Liquidator undertakes to coordinate with the Registry and have the reply placed on record before the next date of hearing.

2. Mr. Kunal Sharma points out that, after the last date of hearing, Co.Appln.369/2020 was preferred by three security agencies, in the present Company Petition, of which the present applicant was one. The application sought a direction to the Official Liquidator to ensure

payment of the liquidation expenses, *including the amounts due to the applicant*, before parting with possession of the assets of the company. Mr. Jaideep Singh, who represents the applicant in person, accepts the fact that the amount, forming the subject matter of the present application, is also the subject matter of Co. Appln. 369/2020. He, however, submits that the prayer in the said application was essentially to ensure that the amounts payable to the applicant – including him – were paid before possession of the assets of the company was parted with.

3. Be that as it may, on the aforesaid application, this Court has, on 4th September, 2020, noted that the burden of the amounts to be payable to the applicants, including the present applicant, would have to be borne by the propounders of the revival scheme, Mr. Sunil Gandhi and M/s Schleicher Intec Pvt. Ltd. Accordingly, this Court had directed the said parties to be impleaded in the said proceedings and had directed notice to issue, to the said parties, who were given liberty to file a response thereto. The said application has been directed to be listed on 5th October, 2020.

4. Though, Mr. Jaideep Singh vociferously contends that much before the filing of Co. Appln. 369/2020, this Court had directed the Official Liquidator to verify the claim of the applicant, and also points out that, on earlier similar occasions, the dues of the security agencies have been released by this Court, I am of the opinion that, as the amount in question in this application is also the subject matter of Co. Appln. 369/2020, it would be in the fitness of things that both the applications are heard together.

5. Accordingly, renotify this application on 5th October, 2020.

C. HARI SHANKAR, J.

SEPTEMBER 7, 2020/kr