

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**I.A No. 1987 of 2020 in**  
**Company Appeal (AT) (Insolvency) No. 926 of 2019**

**IN THE MATTER OF:**

**Flat Buyers Association Winter Hills77**

**...Appellant**

**Versus**

**Umang Realtech Pvt. Ltd. Through IRP & Ors.**

**...Respondent**

**Present:**

**For Appellant: Ms. Shweta Bharti and Mr. Shantanu, Advocates.**

**For Applicant: Mr. Rajiv Bansal, Sr. Advocate with Mr. Gyanendra Kumar, Advocate.**

**For Respondent: Mr. Sumesh Dhawan and Vatsala Kak, Advocates for Intervenor.**

**Ms. Anisha Mahajan, Advocate**

**ORDER**  
**(Through Virtual Mode)**

**16.09.2020:** After hearing Ms. Shweta Bharti, Advocate for the Appellant and Mr. Rajiv Bansal, Sr. Advocate representing the IRP, we find that as per para 26 of the judgment rendered by this Appellate Tribunal on 4<sup>th</sup> February, 2020 which has attained finality, the 'Uppal Housing Pvt. Ltd.' – Intervenor (One of the Promoter) was directed to cooperate with the Interim Resolution Professional and disburse amount from outside as Lender (financial creditor), not as Promoter, to ensure that the project was completed within the given timeframe. Disbursement of such amount was envisaged to be apart from the amount already disbursed.

Therefore, for consideration of the Interim Resolution Professional's prayer for extension of the timelines on account of hardship faced on account of lockdown

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imposed due to outbreak of COVID-19 declared as pandemic and other reasons, it would be appropriate to issue notice to 'Uppal Housing Pvt. Ltd.' (Intervenor) so as to ensure that the directions are carried out in letter and spirit. It is only after seeking appearance of the 'Uppal Housing Pvt. Ltd.' that appropriate directions in regard to extension of time as also grievances of some of the flat buyers in respect of their being made to cough up the entire amount without completion of the project are addressed.

Appellant to provide requisites alongwith process fee and complete address & mobile phone number of the 'Uppal Housing Pvt. Ltd.' (Intervenor) within three days. Appellant shall also be at liberty to take steps for dasti service of notice on the Intervenor.

List this matter for hearing on **30<sup>th</sup> September, 2020.**

**[Justice Bansi Lal Bhat]**  
**Acting Chairperson**

**[Justice Anant Bijay Singh]**  
**Member (Judicial)**

**[Dr. Alok Srivastava]**  
**Member (Technical)**

*am/gc*