

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

**Company Appeal (AT) (Insolvency) No. 41 of 2023**

**IN THE MATTER OF:**

**Ajai Kumar Gupta & Anr.**

**...Appellants**

**Versus**

**Bibhuti Bhushan Biswas & Ors.**

**...Respondents**

**Present:**

**For Appellants: Mr. Abhijeet Sinha, Mr. Anuj Tiwari, Mr. Aditya Shukla, Mr. Saurabh K. Mishra and Ms. Tuhina Misra, Advocates.**

**For Respondents:**

**ORDER**

**13.01.2023:** Learned counsel for the Appellant submits that the Adjudicating Authority had on an application under Section 7 by the allottees of one project Fernhill situated in Section-91, Gurgaon, Manesar, Haryana has initiated CIRP process against the Corporate Debtor. It is submitted that the Corporate Debtor has several projects and the Appellants are allottees in two projects situated at Lucknow, State of Uttar Pradesh. It is submitted that the Applicant allottees being only concerned with Fernhill project CIRP ought to have been confined to Fernhill project only and projects in other States ought not to have been included. Submission needs scrutiny.

Issue notice. Requisites alongwith process fee be filed within three days. Respondents may file Reply within two weeks. Rejoinder be filed within two weeks thereafter.

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List this Appeal on **28.02.2023**.

We provide that the order of Adjudicating Authority admitting Section 7 application shall confine to 'Fernhill project' situated at District Gurgaon.

**[Justice Ashok Bhushan]**  
**Chairperson**

**[Barun Mitra]**  
**Member (Technical)**

*Archana/nn*