

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

6. I.A 1910/2024
IN
C.P. (IB)/4135(MB)2018

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **26.04.2024**

NAME OF THE PARTIES: USV PRIVATE LIMITED

VS

Lok Housing and Constructions Limited.

Appearance:

For the Applicant: Adv. Devika Madekar

For the Resolution Professional: Adv. Ashish Jha

SECTION 7 OF IBC, 2016

ORDER

HEARING THROUGH: VC AND PHYSICAL (HYBRID) MODE

I.A 1910/2024

1. The above Application has been filed by Mr. Amit Bipin Joshi seeking following relief:

- a. *The suit land/concerned land in the present matter be excluded from the EOI and the CIRP of the Respondent;*
- b. *the ownership rights of the deceased Applicant and his Legal heirs be recognized;*
- c. *the IA No. 308 of 2021 file by Mr. Namdev Vishnu Patil before the NCLT, Mumbai be dismissed because they have no legal rights, ownership rights in the concerned land*

2. The applicant is claiming to be owner of the disputed property at Ambernath East which has been included in the assets of the Corporate

Debtor while publishing the Form-G. This application has been filed seeking the relief to exclude the suit land from the EOI and that the ownership rights of the Applicant be recognised.

3. We note that in I.A. 308/2021 order has been passed on 22.02.2024 wherein direction was given to RP to carry out appropriate amendment in the expression of interest and as far as suit property at Ambernath is concerned, direction was given the same should be reflected as disputed property.
4. In view of the order passed on 22.02.2024, nothing survives in this application and the relief sought to recognise the ownership of the Applicant cannot be granted since this is the matter of civil disputes which has to be decided by appropriate court.
5. Accordingly, the above I.A. is **dismissed**.

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)
/RKS/

Sd/-
LAKSHMI GURUNG
Member (Judicial)