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

+ W.P.(C) 1667/2019 & CM No.14256/2019, 18587/2019, 4520/2020

SHARMA KALYPSO PVT. LTD.

..... Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
Sidharth Chopra, Mr. Aman Bhalla
and Ms. Reena Khurana, Advs.

versus

BANK OF MAHARASHTRA AND ANR.

..... Respondent

Through: Mr. Rajshekhar Rao with Mr.
Vinayak Mehrotra and Mr. Navjit
Singh, Advs. for IRP.
Mr. Shivam Sharma with Mr. Akash
Jain, Advs. for R-1.
Mr. Alok Kumar with Ms. Somya
Yadav, Ms. Snigdha Singh, Mr.
Ashutosh Jain, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

24.02.2020

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1. Mr. Rajshekhar Rao, who appears for the IRP, points out that the Corporation Bank has moved an application before the concerned NCLT under Section 7 of the Insolvency and Bankruptcy Code, 2016.
2. Mr. Rao has drawn my attention to the order dated 28.3.2019 passed in the instant petition.
- 2.1 Mr. Rao has also drawn my attention to the fact that the Corporation Bank has moved an application (i.e. CM No.18587/2019) for vacating the stay granted by this Court vide order dated 28.3.2019.

3. Mr. Kirti Uppal, learned Senior Counsel, who appeared on the previous date for the petitioner company, instructed by Mr. Sidharth Chopra and Mr. Aman Bhalla, Advocates, today draws my attention to the fact that an appeal has been preferred with the NCLAT against the order dated 2.1.2020 passed by the NCLT.

3.1 Mr. Uppal submits that the petitioner will move an application for clarification before the NCLT qua the aspect that the order dated 2.1.2020 does not refer to the orders passed by this Court in particular the order dated 28.3.2019 passed in instant petition.

4. Liberty in that behalf is given to the petitioner. The petitioner will have a window of one week to file an application for clarification with the NCLT. If an application is filed, NCLT, I am sure will deal with the same as per law

5. In case no such application is moved by the erstwhile management of the petitioner for clarification within the timeframe indicated above, the order dated 28.3.2019 will stand dissolved automatically.

6. Insofar as this Court is concerned, Mr. Rao, who appears for the IRP (as noted above) and has carriage of proceedings, says that these proceedings can be closed. It is ordered accordingly.

7. Pending applications are accordingly closed.

RAJIV SHAKDHER, J

FEBRUARY 24, 2020/pmc