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

+ W.P.(C) 4008/2020, CM APPL. 14397/2020 (Exemption)

RAJNEESH GUPTA

..... Petitioner

Through Mr. Sumant De and Mr. Pritish
Sabharwal, Advs.

versus

SMALL INDUSTRIAL DEVELOPMENT BANK OF INDIA &
ANR.

..... Respondent

Through Mr. Subrat and Mr. Pawan Sharma,
Advs. for R-2.
Mr. K.G. Somani, Official Liquidator.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **10.07.2020**

(Video Conference Hearing)

By the instant writ petition, the petitioner seeks to assail the order dated 26.06.2020 passed by the National Company Law Tribunal, Bench-II, New Delhi in Company Petition (IB) 575(ND) 2017 which in effect, directs conducting auction / sale of property bearing no. D-13, Peeragarhi, New Rohtak Road, New Delhi – 110 041.

Ld. counsel for the petitioner submits that the petitioner was

constrained to approach this Court in view of the fact that NCLAT is not functioning on account of incidents of Covid-19. During the course of hearing, respondent no.2 – Official Liquidator submits that no date of auction has yet been fixed and it is not likely to be fixed in another week's time.

Taking into account the totality of facts and circumstances, this Court does not find any reason to entertain the instant petition on account of the given temporary closure of NCLAT. The petitioner is at liberty to approach NCLAT as prescribed under law for any relief(s) as may be called for. It is however directed that for a period of 15(Fifteen) days, the Official Liquidator shall not proceed with the auction of the property. It is made clear that this indulgence is only for the purposes of enabling the petitioner to avail the remedy of law as may be available to it and should not be construed to have any bearing on the merits of the case of the petitioner. The petition stands disposed of accordingly.

A. K. CHAWLA, J

JULY 10, 2020

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