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

+ CRL.M.C. 5575/2024 and CRL.M.A. 21276/2024

TECHNOLOGY DEVELOPMENT BOARDPetitioner

Through: Mr. Lakshay Sawhney, Advocate.

versus

SH. SANTOSH DIRAJ PATHAKRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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23.07.2024

Mr. Lakshay Sawhney, learned counsel appearing for the petitioner informs the court that the learned Metropolitan Magistrate had stayed proceedings under section 138 of the Negotiable Instruments Act 1881, pending before her *vide* impugned order dated 04.06.2024 in view of the pendency of an application under section 94(1) of the Insolvency & Bankruptcy Code 2016 ('IBC'), read with Rule 6 (1) of the Insolvency and Bankruptcy (Application to Adjudicating Authority for IRP for Personal Guarantors to Corporate Debtor) Rules, 2019 before the National Company Law Tribunal, Ahmedabad Bench ('NCLT').

Mr. Sawhney however informs the court that the NCLT has now rejected the application filed by the respondent under section 94(1) of the IBC by reason of which the proceedings before the learned Magistrate in Ct. Case No. 40713/16 titled *Technology Development Board vs. M/s Gujarat Oleo Chem Ltd & Ors.*, would now proceed. Counsel submits that therefore the present petition has been rendered infructuous and may be disposed-of as such.



The petition is accordingly disposed-of as infructuous.
Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JULY 23, 2024
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