

NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH
COURT NO. 1

ITEM No.3
IA/336(MP)2026
in
TP 230 of 2019 [CP(IB) 192 of 2017]

Proceedings under Section 60(5) r.w. Rule 11

IN THE MATTER OF:

Arvind JainApplicant
V/s
Chhaya Gupta RP of JSM Devcons India Pvt LtdRespondent

Coram:

Hon'ble Shri Brajendra Mani Tripathi, Member (J)
Hon'ble Shri Man Mohan Gupta Member (T)

PRESENT:

For the Applicant : Ms. Teena S. Pandey, PCA (Online)
For the Respondent : Mrs. Chhaya Gupta, (RP-in-Person) (Online)

ORDER

Delivered on 09/06/2026

IA/336(MP)2026

1. The present Application has been filed by the Applicant under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 r/w Rule 11 of NCLT Rules, 2016 with the following prayers: -
 - (i) *Set aside the rejection of the Applicant's claim communicated by the Resolution Professional vide email dated 21.05.2026.*
 - (ii) *Hold and declare that the Applicant is entitled to complete right, title and interest in respect of Plot No. 277/3/P, Zone-3, Pinnacle 'D' Desire, Indore, on the basis of the allotment made in his favour.*
 - (iii) *Direct the Learned Resolution Professional to accept and admit the claim of the Applicant as a financial creditor/allottee in respect of the aforesaid plot.*

(iv) Direct the Learned Resolution Professional/Corporate Debtor to execute and register the plot in favour of the Applicant and to hand over peaceful possession thereof.

(v) Direct that the Applicant's claim be communicated to all resolution applicants so that his rights are duly protected in any resolution plan.

(vi) Condone the delay, if any, in filing the claim of the Applicant.

2. We have heard the Ld. Counsel for the Applicant as well as the Respondent/RP and perused the record.
3. Today, the Respondent/RP is present in person and submits that the amounts paid towards the said plot were made in cash. It is further submitted that, in a similar matter, the Hon'ble NCLAT has passed an order; however, the said order is not presently before us. In the circumstances, we deem it appropriate to issue notice to the Respondent and direct the filing of a reply.
4. Let notice be issued to the Respondent by the Registry, returnable on the next date. The Applicant is directed to collect the notice from the Registry within three days and serve upon the Respondent along with a copy of this order through Registered Ad post / Speed-post, Dasti mode, as well as on the registered email ID of the Respondent within seven days.
5. The Respondent is directed to file a reply, if any, within two weeks from the date of receipt of notice. The Rejoinder, if any, shall be filed within seven days thereafter. Proof of Service shall be filed by way of an affidavit before the next date of hearing.
6. List the matter for filing the reply as well the proof of service of affidavit on **03.08.2026.**

Sd/-

**MAN MOHAN GUPTA
MEMBER (TECHNICAL)**

Tomar

Sd/-

**BRAJENDRA MANI TRIPATHI
MEMBER (JUDICIAL)**