

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Contempt Case (AT) (MRTP) No. 06 of 2017
(Old Contempt Application No. 01 of 2016 in UTPE 36 of 2009
and C.A. No. 68 of 2009)

IN THE MATTER OF :

Narottam Singh & Ors.

... Applicants/Appellants

Versus

Shri Surender Kumar Vashishtha

... Contemner Respondent

WITH

Contempt Case (AT) (MRTP) No. 07 of 2017
(Old Contempt Application No. 02 of 2016 in UTPE 80 of 2009)

IN THE MATTER OF :

Bharat Kumar Nayar & Ors.

... Applicants/Appellants

Versus

Shri Surender Kumar Vashishtha

... Contemner Respondent

Present: For Applicants/Appellants : Shri P. Sureshan, Advocate

**For Contemner/Respondent : Shri S.S. Kulshrestha, Senior
Advocate with Shri Pandey, Advocate**

O R D E R

02.11.2017 An additional affidavit has been filed on behalf of the Contemner Respondent stating that they have complied with the direction of the COMPAT in its letter and spirit, though there is some delay. It is informed that the main gate and road of the Project have been repaired, the amount of Rs.15 Lakhs has been paid and the basement has been vacated and handed-over to the RWA.

So far as the issue of Completion Certificate is concerned, it is stated that the Contemner Respondent applied for Completion Certificate before the Ghaziabad Development Authority (GDA) but the said Authority has not provided the Completion Certificate in spite of repeated requests.

Learned counsel for the applicants, while prays for time to file rejoinder to the additional affidavit filed by the Contemner Respondent and to verify the averments made therein, submits that the application for Completion Certificate has not been filed in terms of the provisions of the relevant rules and, for the said reason, GDA is not issuing the Completion Certificate.

In view of such stand taken by the applicants, we allow the applicants to file rejoinder to the reply within a week. The applicants may also suggest the format in which the Contemner Respondent is required to apply in terms of the Rules for obtaining the Completion Certificate from GDA. In such case, the Appellate Tribunal may direct the Contemner Respondent to file fresh request for issuing Completion Certificate in terms of the said Rules.

Post the matter on 16th November, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

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