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*"Take risks in your life, If you win, you can lead! If you lose, you can guide."*

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## ➤ **Delhi High Court Allows Court Fee Refund Application In Commercial Suit After NCLT Imposes Interim Moratorium On Defendants**

The Delhi High Court has ordered to refund court fee to a plaintiff in a commercial suit after interim moratorium was imposed on the defendants by National Company Law Tribunal in Mumbai under Insolvency and Bankruptcy Code, 2016.

Expanding the scope of section 16 of Court Fees Act, 1870, Justice Yashwant Varma said: "The Court notes that once personal insolvency has commenced in terms of Section 95, the interim moratorium would come into play immediately upon the institution of those proceedings. In terms of the commencement of proceedings under the IBC, the plaintiff would now have the solitary remedy of filing a claim and participate in the collective statutory settlement process that would ensue against the defendants. Since the same would also relate to a settlement of claims, it would appear to fall within the scope of Section 16."

Section 16 states that where the court refers the parties to a suit to any one of the modes of settlement of dispute i.e. arbitration, conciliation, judicial settlement or mediation, the plaintiff shall be entitled to a certificate from the court authorising him to receive back the full amount of the fee paid in respect of the plaint from the collector.

The court was hearing an application filed in a commercial suit filed by Proud Securities and Credits Private Limited against two promoters of an Indian travel company, Cox & Kings Limited, for recovery of over Rs. 15 crores arising from a master facility agreement.

**Source: Live Law**

**Read Full news at:** <https://www.livelaw.in/high-court/delhi-high-court/delhi-high-court-refund-of-court-fee-commercial-suit-nclt-interim-moratorium-defendants-227218>

➤ **Aakriti Eco City residents fear power supply disruption as builder declares 'insolvency'**

BHOPAL: About 800 to 1000 families living in posh Aakriti Eco City society are living in perpetual fear that electricity supply to their homes may be discontinued any time as the builder who provided them electricity through agreement with the MPEB has declared himself "bankrupt" and . the MPEB is demanding an amount of Rs 3 to 4 crore to lay afresh supply network in the colony and take over the electricity supply.

Atul Samadhiya, a resident of the colony, while talking to TOI, said, "Like any other colony, we had paid the amount decided by the builder to provide water and electricity supply. According to size and kind of houses, we paid an amount we paid an amount of Rs 50,000 to Rs 70,000 for electricity I mean, a person buying a duplex in the colony paid Rs 70,0000 and somebody buying a flat may have paid Rs 50,000.

The builder set up a power substation of his own, laid cable and installed transformers for supply of electricity to the residents of the colony. We believe that they were doing it under agreement with MPEB. Neither do we receive electricity bills from MPEB nor do we pay bills to MPEB. We are given bills by AG 8 Ventures Ltd and we give cheques towards payment of electricity bills to them".

Samadhiya further. said that the problem arose after the builder declared himself bankrupt" and about a month ago, we were told that electricity supply to the colony may be discontinued apparently because. a substantial amount of pending bills over the years, which we paid to the contractor appointed by the builder for maintenance of the electricity supply system and collection of bil had not been deposited with MPEB.

**Source: The Times Of India**

**Read Full news at:** <https://timesofindia.indiatimes.com/city/bhopal/aakriti-eco-city-residents-fear-power-supply-disruption-as-builder-declares-insolvency/articleshow/99771351.cms?from=mdr>

