



**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CWP-27261-2025 (O&M)  
Date of Decision:- 12.09.2025

Piyush Buildwell India Ltd ... Petitioner

Versus

Nitin Malik and others ... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL  
HON'BLE MR. JUSTICE H.S. GREWAL**

Present:- Mr. Alok Mittal, Advocate, for the petitioner.

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks setting aside of impugned order dated 07.07.2025 (Annexure P-1), whereby his application seeking issuance of directions to be issued to the Resolution Professional to furnish requisite information/documents so as to file response to the affidavits filed by the complainant, has been dismissed.
2. The relevant extract from the impugned order Annexure P-1 reads as under:

**“NC/IA/7163/2025**

On 10.03.2025 a detailed order was passed calling upon the contesting opposite party no.3/builder to file their response to the affidavits filed on behalf of the complainants regarding the alleged demands and also to proceed with the matter regarding the payments about which the averments had been made in the affidavits filed on behalf of the complainants.

Since no reply had been filed to the same, we had granted time of four weeks and no more for the filing of the said affidavits. It is in



this context that the present application has been brought forth by the opposite party no. 3/builder raising certain issues regarding the facts and also with the following prayers:

- "a. Direct the newly appointed Director of the OP-3, namely Sh. Sanjay Bhambri to give the Director possession of the important documents of OP-3, so the Director can file replies to the Claim Affidavits filed by the Complainants herein; and
- b. Direct the Resolution Professional of M/s Piyush Shelter India Pvt. Ltd., namely Mr. Swami Deen Gupta to give the Director possession of the important documents of OP-3, so the Director can file replies to the Claim Affidavits filed by the Complainants herein; and
- c. Direct the Resolution Professional of M/s Piyush Colonisers Pvt. Ltd., namely Mr. Ashish Singh to give the Director possession of the important documents of OP-3, so the Director can file replies to the Claim Affidavits filed by the Complainants herein"

We find that these prayers along with the said application is clearly designed to somehow or the other procrastinate these proceedings and further seeking more time in order to enable the opposite party no.3/builder to avoid giving the answers to the affidavits already filed on behalf of the complainants. We therefore find the application to have been designed only for the said purpose. Any difficulties being faced by the opposite party no. 3/builder in collecting papers from any other forums cannot be a matter of concern of this Commission.

The application is misconceived and is accordingly rejected.”

3. Learned counsel for the petitioner submitted that as a matter of fact the company in question i.e. Piyush Buildwell India Ltd. is not under liquidation and that the proceedings under the Insolvency and Bankruptcy Code, 2016 have been initiated only against M/s Piyush Colonizers Limited.

