

**Deciding the applicability of notification dated 24th March, 2020 is the domain of NCLT and cannot be determined by the Registrar of NCLT.**

<b>CASE TITLE</b>	Skillstech Services Private Limited v. Registrar, National Company Law Tribunal, New Delhi & Anr. <sup>1</sup>
<b>CASE CITATION</b>	W.P.(C) 474/2021 & CM APPL. 1227/2021
<b>DATE OF ORDER</b>	13.01.2021
<b>COURT/TRIBUNAL</b>	High Court of Delhi, New Delhi
<b>CASES REFERRED</b>	<i>M/s Tharakan Web Innovations Pvt. Ltd. v. Cyriac Njavally (NCLT, Kotchi)</i>
<b>SECTION/REGULATION REFERRED</b>	Section 9 of IBC

**Brief of the case:**

The petition has been filed by the Petitioner seeking listing of its petition, under Section 9 of the IBC before the appropriate bench of the NCLT. The Registrar of the NCLT did not even list the Petitioner's matter before the appropriate bench of NCLT, on the ground that the threshold of the pecuniary jurisdiction of the NCLT has now been amended by a notification dated 24th November, 2020, from Rs.1 lakh, to Rs.1 crore.

The question raised was whether NCLT has a jurisdiction to entertain a particular case or not, can be determined by the Registrar in the administrative capacity.

**Decision:**

Hon'ble High Court of Delhi held that,

*"6. This court is of the opinion that the question as to whether the NCLT has jurisdiction to entertain a particular case or not cannot be determined by the Registrar in the administrative capacity. The Registrar would have to place the matter before the appropriate bench of the NCLT, for the said question to be judicially determined. The appropriate bench of the NCLT would have to then, take a considered view as to whether notice is liable to be issued in the matter or not. 7. The question as to whether the notification dated 24th March, 2020 applies to a particular petition that has been filed prior to the said notification or not is also a question to be determined by the Bench of the NCLT and not by the Registrar of the Tribunal."*



**QR CODE FOR FULL ORDER/JUDGEMENT:**

<sup>1</sup><https://ibbi.gov.in/uploads/order/aa012e243d74ac23d2c1679d0cdf54c4.pdf>