

DIVISION BENCH
COURT - II

(MENTIONING)

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/74(KB)2020
IA(I.B.C)/1121(KB)2024, IA(I.B.C)/192(KB)2024,
IA(I.B.C)/635(KB)2022, IA(I.B.C)/1068(KB)2024,
IA(I.B.C)/978(KB)2024, IA(I.B.C)/609(KB)2023,
IA(I.B.C)/428(KB)2022, IA(I.B.C)/626(KB)2022,
CONT.A. (IBC)/15(KB)2022

**CORAM 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI D. ARVIND**

ORDER SHEET OF THE HEARING ON 4th July 2024

IN THE MATTER OF	RADICO KHAITAN LTD. VS CONCEPT BIOSCIENCES INDIA PVT. LTD
UNDER SECTION	IBC UNDER SEC 9

C O R R I G E N D U M O R D E R

1. This matter was not on Board today. However, upon mentioning, the matter was taken up on Board.
2. In the Order dated **26.06.2024**, some typographical errors have brought to our notice and therefore, the same are amended as under:
 - a) In **Para No. (v)(c) second line**: inadvertently written as "*the said*" will be replaced by "**the Howrah**", "*show*" will be replaced by "**appears in**".
 - b) In **Para No. (v)(c) third line**: will be replaced by "**Therefore, if nothing else stands in the way, let the property in Howrah be handed over to**"
 - c) **Para No. (v)(d) second line**: will be replaced by "**property in question, therefore, if nothing stands in the way the property be handed**"
 - d) Rest of the Order will remain unchanged.

**D. Arvind
Member (Technical)**

**Bidisha Banerjee
Member (Judicial)**

**NATIONAL COMPANY LAW TRIBUNAL
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CONT.A. (IBC)/15(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI D. ARVIND**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 26TH JUNE 2024

IN THE MATTER OF	RADICO KHAITAN LTD. VS CONCEPT BIOSCIENCES INDIA PVT. LTD
UNDER SECTION	IBC UNDER SEC 9

Appearance (via video conferencing/physically)

Mr. K. Thaker, Adv.] For the Petitioner
Mrs. Sreenita Ghoshdastidar, Adv.]
Ms. Sneha Singhanian, Adv.]
Ms. Rishita Sarkar, Adv.]

Ms. Nimisha Agarwal, Adv.] For the liquidator

Mr. Ajay Kumar Agarwal,] Erstwhile IRP

Mr. Aysuh Puri, Adv.] For Radico Khaitan Limited
Mr. Ayan Dutta, Adv.]
Mr. Sumit Biswas, Adv.]
Ms. Rajashree Bhowmick, Adv.]

Mr. Himanshu Kohli, Adv.] for the Applicant in IA(I.B.C)/1068(KB)2024

ORDER

1. Ld. Counsel appearing on behalf of the parties present.

2. **IA(I.B.C)/192(KB)2024:**

a. As nothing stands in the way let the properties be handed back to Union Bank of India. Application has been preferred seeking the following reliefs:

(i) “ Order directing the Respondent No.1/Resolution Professional to vacate and handover the peaceful possession of the properties being the rooms

Nos. A and B on the Ground Floor of the building situated at premises No. 24 & 25, Moulana Abul Kalam Azad Road, P.S. Golabari, District:Howrah.

- (ii) Order directing the Respondent No.1/Resolution Professional to vacate and handover the peaceful possession of the properties situated at being 1, A.J.C. Bose Road, Kolkata-700020, Third Floor having an area of 1067.33 sq. ft on the third floor along with one car parking space to the Applicant.
- (iii) Order of injunction restraining the Respondent No.1/Resolution Professional from transferring, alienating, encumbering and/or in any manner dealing with the subject properties.
- (iv) Ad interim order in terms of prayer (b) above.
- (v) Pass any other orders and/or orders as this Ld. Tribunal may deem fit and proper in the facts and circumstances of the present case.”

- b. Ld. Counsel for the liquidator does not have any instruction to oppose.
- c. Ld Counsel Mr. Thakker submits that Liquidator has already agreed to hand over the possession of the said property to the bank which show the chart. Therefore, nothing else stands in the way. Let the properties be handed over to the bank.
- d. Ld. Counsel submits that liquidator has no objection to handover the properties, therefore, if nothing stands in the way the properties be handed over to the Union Bank of India within a period of two weeks’.
- e. IA(I.B.C)/192(KB)2024 is thus **disposed of**.

3. IA(I.B.C)/978(KB)2024:

- a. Ld. Counsel appearing for the liquidator in the matter submits that the soul CoC member who does not want to pursue the matter any further. Let an affidavit to that effect be filed within a period of two weeks’.
- b. List the matter for hearing on **29.07.2024**.

4. IA(I.B.C)/1121(KB)2024, IA(I.B.C)/635(KB)2022, IA(I.B.C)/1068(KB)2024, IA(I.B.C)/609(KB)2023, IA(I.B.C)/428(KB)2022, IA(I.B.C)/626(KB)2022, CONT.A. (IBC)/15(KB)2022:

- a. List the matter on **29.07.2024**.

5. C.P. (IB)/74(KB)2020:

- a. The representatives of the CoC members are directed to appear personally on the next date of hearing. Therefore, Registry is directed to issue notice to the

CoC members to appear personally by way of speed post and by e-mail and place the tracking information report on record.

- b. List the matter on **29.07.2024**.

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)