

DIVISION BENCH  
COURT - II

(MENTIONING)

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/180(KB)2019  
IA(I.B.C)/880(KB)2024,

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

**ORDER SHEET OF THE HEARING ON 4<sup>th</sup> July 2024**

|                  |   |
|------------------|---|
| IN THE MATTER OF | <b>ATO [I] LIMITED<br/>VS<br/>GANDHAMARDHAN SPONGE INDUSTRIES PRIVATE<br/>LIMITED</b> |
| UNDER SECTION    | <b>IBC UNDER SEC 7</b>  |

**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 Corrigendum Order dated **18.06.2024** to the Order dated **10.06.2024**, some typographical errors have brought to our notice and therefore, the same are amended as under:
  - a) **Para c. d. and e.** under **Para 2** will be deleted.
  - b) Rest of the Order will remain unchanged.

**D. Arvind  
Member (Technical)**

**Bidisha Banerjee  
Member (Judicial)**

DIVISION BENCH  
COURT - II

M-1

MENTIONING

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/180(KB)2019  
IA(I.B.C)/880(KB)2024,

**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 18<sup>TH</sup> JUNE 2024**

|                  |  |
|------------------|--|
| IN THE MATTER OF | ATO [I] LIMITED<br>VS<br>GANDHAMARDHAN SPONGE INDUSTRIES PRIVATE LIMITED |
| UNDER SECTION    | IBC UNDER SEC 7  |

**Appearance (via video conferencing/physically)**

**C O R R I G E N D U M   O R D E R**

1. This matter is not on Board today. Upon mentioning by the Ld. Counsel, this matter is taken up on Board today.
2. In the Order dated **10<sup>th</sup> June, 2024** some typographical errors have brought to our notice and, therefore, the same are amended as under: -
  - a. In **para no. 2**, inadvertently written as “**2(b)**” and the same will be replaced by “**2(c)**”.
  - b. In para no. 2(b) will be added upon consent of both the parties in the Order dated 10<sup>th</sup> June, 2024 that prayer (1) of IA(I.B.C)/880(KB)2024 is **allowed**. This IA has been filed by Applicant under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 (“IB Code”) read with rule 11 of the National Company Law Tribunal Rules, 2016 (“NCLT Rules”) seeking for following reliefs: -
    - i. *An Order, thereby, staying the purported demand notice along with the impugned Order;*

**Ar.**

- c. The reason is mentioned in page nos. 20 to 24 of this application and we are satisfied with it.
  - d. This IA is accompanied by an affidavit of Applicant at page no. 32 of the said application.
  - e. Accordingly, this **IA(I.B.C)/880(KB)2024** is **allowed** and **disposed of**.
- 3. Rest of the order shall remain unchanged.**

**D. Arvind**  
**Member (Technical)**

**Bidisha Banerjee**  
**Member (Judicial)**

DIVISION BENCH  
COURT - II

**O-203**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/180(KB)2019  
IA(I.B.C)/880(KB)2024,

**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 10<sup>TH</sup> JUNE 2024**

|                  |  |
|------------------|--|
| IN THE MATTER OF | ATO [I] LIMITED<br>VS<br>GANDHAMARDHAN SPONGE INDUSTRIES PRIVATE LIMITED |
| UNDER SECTION    | IBC UNDER SEC 7  |

**Appearance (via video conferencing/physically)**

Ms. Urmila Chakraborty, Adv. ] For the Petitioner in IA(I.B.C)/880(KB)2024  
Mr. Sidhartha Sharma, Adv. ]  
Mr. Rishav Dutt, Adv. ]  
Mr. A. Katauka, Adv. ]  
  
Mr. Avinash Kedia, Adv. ] For the Respondent No. 1 in IA(I.B.C)/880(KB)2024  
  
Mr. Pranay Agarwal, Adv. ] For the Respondent No. 2 in IA(I.B.C)/880(KB)2024  
Ms. Sweta Majumdar, Adv. ]

**ORDER**

1. Learned Counsel for the Petitioner present. Learned Counsel for the Respondent No.1 present. Learned Counsel for the Respondent No.2 present.
2. **IA(I.B.C)/880(KB)2024:**
  - a. Since the Respondent No.1 has not filed reply affidavit despite repeated opportunities, therefore, last chance is given to the learned Counsel for the Respondent No.1 to file reply affidavit within a period of two weeks, failing which an appropriate order will be passed on the next date of hearing.
  - b. List this matter on **4<sup>th</sup> July, 2024.**

**D. Arvind  
Member (Technical)**

**Bidisha Banerjee  
Member (Judicial)**