

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/482(KB)2019
IA(I.B.C)/550(KB)2024, IA(I.B.C)/796(KB)2024,
IA(I.B.C)/440(KB)2024, IA(I.B.C)/410(KB)2024,
IA(I.B.C)/1552(KB)2022, IA(I.B.C)/1551(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 14TH MAY 2024

IN THE MATTER OF	STRESSED ASSETS STABILIZATION FUND VS E.R. TEXTILE LIMITED
UNDER SECTION	IBC UNDER SEC 7

Appearance (via video conferencing/physically)

Mr. Ratnanko Banerji, Sr. Adv.] For the Applicant in IA(I.B.C)/440(KB)2024
Mr. Aman Agarwal, Adv.] IA(I.B.C)/550(KB)2024
Ms. Madhujā Barman, Adv.] IA(I.B.C)/796(KB)2024
Mr. Deep Roy, Adv.]

Mr. Joy Saha, Sr. Adv.] For the Applicant/RP in
Mr. Ritoban Sarkar, Adv.] IA(I.B.C)/410(KB)2024
Mr. Avishek Das, Adv.]

Mr. T. V. Suresh Kumar, Adv.] For the Respondents in
Mr. N. A. Srinivasan, Adv.] IA(I.B.C)/410(KB)2024
Mr. Gokulakrishnan, Adv.] IA(I.B.C)/440(KB)2024

ORDER

1. Ld. Sr. Counsel/Counsel/Authorised Representative appearing on behalf of the parties present.
2. **IA(I.B.C)/550(KB)2024 and IA(I.B.C)/410(KB)2024:**
 - a. Heard at length. **Reserved for Orders.**
 - b. Both the Ld. Sr. Counsel/Counsel for the parties are requested to furnish their written notes of arguments along with citation of the judgments that they have relied upon by all the parties, including SRA within a period of three days.
3. **IA(I.B.C)/440(KB)2024:**
 - a. This IA has been filed by the 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 directing the Respondent No. 2 to allow physical inspection and verification of the constructed area with 180 looms, warping, sizing and other machinery located at 2/1, Nariganapuram Village, Berigai Post Hosur – 635105 to the Applicant and its personnel and bankers along with the Respondent No. 1 being the Resolution Professional and his representatives at any time as to this Hon’ble Tribunal may deem fit and proper and with prior notice;*
 - ii. An order directing the Respondent no. 2 to allow access to and inspection of books and registers at the said premises to the Applicant as stated in paragraph 23;*
 - iii. An order directing the Superintendent of Police, Krishnagiri District, Tamil Nadu to render necessary police assistance to the Applicant and its personnel, bankers along with the Respondent no. 1 being the Resolution Professional and his representatives to take physical inspection and verification of the Corporate Debtor’s land situated at 2/1, Nariganapuram Village, Berigai, Post Hosur – 635105, Tamil Nadu along with plant and machinery thereon;*
- b.** The reason is mentioned in page nos. 4 to 9 at paragraph nos. 9 to 32 of this application and we are satisfied with it.
 - c.** This IA is accompanied by an affidavit of Applicant at page no. 12 of the said application.
 - d.** Accordingly, this **IA(I.B.C)/440(KB)2024** is **allowed** and **disposed of** to the extent mentioned above.

4. IA(I.B.C)/796(KB)2024:

- a.** List the matter for continuation of arguments on **05.07.2024 at 12:30 P.M.**

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)