

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - 1**

ITEM No.208- IA/120(AHM) 2022  
ITEM No. 209- IA/1056(AHM) 2023 in  
IA/119(AHM) 2022  
In  
CP(IB) 169 of 2019

**Proceedings under Section 7 IBC**

**IN THE MATTER OF:**

Canara Bank  
V/s  
Nakoda Ltd

.....Applicant

.....Respondent

**Order delivered on: 14/05/2024**

**Coram:**

Mr. Shammi Khan, Hon'ble Member(J)  
Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Liquidator : Mr. Rajiv Chawla, Advocate for  
: Mr. Arjun Sheth, Advocate  
For the Respondent : Ms. Maithili Mehta, Advocate for R- 1

**ORDER**

**IA/120(AHM) 2022**

In compliance with the last order dated 01.05.2024, qua the clarification apart from the attachment under the Benami Act, any conveyance order has been passed by the Adjudicating Authority or not, and an additional affidavit has been filed by Shri Sharyu H. Aadhe, Deputy Commissioner of Income Tax (Benami Prohibition), Initiating Officer under PBPTA, 1988, Surat, which was affirmed on 06.05.2024. The relevant paragraph of the said additional affidavit is reproduced as follows:

2. *I say and submit that no prosecution proceedings have been initiated by the Respondent Department against the present Applicant, pursuant to common orders dated 29.07.2022 passed by the Ld. Adjudicating Authority partially confirming the provisional attachment.*

On the basis of the additional affidavit, Learned Standing Counsel for the Income Tax Department has clarified that no penal proceedings / criminal proceedings have been initiated against the Corporate Debtor in any court of law except attachment under the Benami Prohibition Act.

Further, Learned Liquidator confirms the receipt of copy of the said affidavit.

Re-list on 26.06.2024.

**IA/1056(AHM) 2023 in IA/119(AHM) 2022**

Learned Standing Counsel for the Income Tax Department is directed to place on record the chart of all appeals pending or disposed of in pursuance to the assessment order passed by the Competent Authority against the Corporate Debtor, along with the claim against each assessment order.

Learned Counsel for the Income Tax Department seeks and is granted four weeks' time to place on record the said document, with an advance copy to the other side for filing a rebuttal affidavit, if any, within a period of seven days.

Re-list on 26.06.2024.

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**SAMEER KAKAR  
MEMBER (TECHNICAL)**

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**SHAMMI KHAN  
MEMBER (JUDICIAL)**