

**IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD**  
**COURT - 2**

ITEM No 215- IA 732 of 2020  
ITEM No 216- IA/293(AHM) 2022  
ITEM No 217- IA/337(AHM) 2022  
ITEM No 218- IA/769(AHM) 2022  
ITEM No 219- IA/350(AHM) 2021  
ITEM No 220- IA/220(AHM) 2022  
ITEM No 221- IA/316(AHM) 2022  
ITEM No 222- IA/1133(AHM) 2022  
In  
CP(IB) 418 of 2018

**Proceedings under Section 7 IBC**

**IN THE MATTER OF:**

IDBI

.....Applicant

V/s

Reliance Naval and Engineering Ltd

.....Respondent

**Order delivered on ..19/04/2023**

**Coram:**

Deep Chandra Joshi, Hon'ble Member(J)  
Ajai Das Mehrotra, Hon'ble Member(T)

**PRESENT:**

For the Applicant	: Mr. Aman Choudhary, Adv. a.w Mr. Parth Shah, Adv. : & Mr. Shashvata Shukla, Adv. for BHEL : Mr. Dipen Sankhesara, Adv. : Mr. Arjun Sheth, Adv. & Solicitor a/w. Mr. Rajiv Chawla, Adv.
For the Respondent	: Mr. A. V. Nair, Adv. for RPFC & other : Mr. Nilesh Udernani, Adv. for R-1 : Mr. Arjun Sheth, Adv. & Solicitor a/w. Mr. Rajiv Chawla, Adv. For UCO Bank : Ms. Khyati Chugh, Adv. (For Secretary, Ministry of Defence Govt. of India)
For the RP	: Mr. Kiran Shah, PCA RP In person : Mr. Arjun Sheth, Adv. & Solicitor a/w. Ms. Rhea Sevak, Adv.
For the Chairman Monitoring Committee	: Mr. Navin Pahwa, Sr. Adv. a/w. Mr. Dhruvad Vaghani, Adv. : Ms. Nandita Bajpai, Adv. Mr. Shrikanth Pillai, Adv. : Mr. Ajiz M K, Adv. & Mr. Aditya Mehta, Adv. i/b. LEx Aeterna Practices

## ORDER

### **IA 732 of 2020 & IA/293(AHM) 2022**

Learned Counsel Ms. Khyati appears for respondent nos. 1 and 2, and she submits that the ASG will be appearing for the Government in this case and he is not available today, hence, requests for adjournment.

List for hearing on 10.05.2023.

### **IA/337(AHM) 2022**

Learned Counsel Mr. Aman chaudhary appeared for the applicant and states that claim application was rejected by the RP, and the present IA has been filed against the said rejection. Learned Sr. Counsel appeared for the Chairman of the Monitoring Committee and stated that the Plan has already been approved on 23.12.2022, and therefore the claim will not survive. He undertakes to submit the copy of the Resolution Plan and judgments supporting his contention within three days

Heard. Reserved for order.

### **IA/769(AHM) 2022**

Learned Sr. Counsel appearing for the Monitoring Committee states that they are in communication with office of the Regional Provident Fund and the next hearing is to be held on 25.04.2023 and request that this IA may be kept for hearing thereafter.

List for hearing on 10.05.2023.

### **IA/350(AHM) 2021**

This is an application filed by the RP for non-cooperation by the ex-management and the erstwhile IRP. Learned Counsel Mr. Nilesh Udernani appeared for the respondent nos. 1 (a) to (f) states that the order dated 15.09.2022 has been complied with. However, the RP appearing in person objects to this statement and states that many required documents still have not been furnished. It is also noted that vide order dated 14.12.2022 the respondent was asked to file compliance affidavit, as to what information documents are submitted to RP in compliance to our orders. This compliance affidavit has not been

filed. Respondent / ex-management is directed to supply the required documents to the RP and to furnish the compliance affidavit within one week.

Respondent no. 2, the erstwhile IRP, to also cooperate with the RP and to supply information required by him and to furnish compliance affidavit within one week.

List for hearing on 15.05.2023.

### **IA 220(AHM) 2022**

Learned Counsel Mr. Varun Sharma appears for the applicant. The main prayer in this application is for the surrender of vacant and peaceful possession of the premises, being shops in Inter City Mall, Nagapur. Learned Counsel for the RP and RP in person present. Learned Counsel for the RP states that the documents at page nos. 21, 22 and 23 of the application are apparently signed post initiation of CIRP without the knowledge of the IRP / RP and, therefore, they are not legally valid. He explained that the corporate debtor had an agreement with Devika Trading Pvt. Ltd. regarding the said premises and Devika Trading Pvt. Ltd. was allowed to sub lease the premises and according to them, the subject premises was sub leased by Devika Trading Pvt. Ltd. to the applicant. It is noted that Devika Trading Pvt. Ltd. being an important party in this matter has not been made a party in the present proceedings by the applicant. Notice be issued to Devika Trading Pvt. Ltd. along with copy of this order, and they should file their say in this matter within seven days of receipt of this notice, with copy to the applicant and the respondent / RP.

List for hearing on 04.05.2023.

### **IA 316(AHM) 2022 & IA/1133(AHM) 2022**

List for further consideration on 04.05.2023.

-sd-

**AJAI DAS MEHROTRA  
MEMBER (TECHNICAL)**

-sd-

**DEEP CHANDRA JOSHI  
MEMBER (JUDICIAL)**