

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-II

4. **IA 3067/2024- New Application Hearing IA 2515/2020-66-
IA 298/2021-66 IA 1626/2024 IN C.P. (IB) 4260/MB/2018**

CORAM:

SHRI ANIL RAJ CHELLAN
HON'BLE MEMBER (T)

SHRI KULDIP KUMAR KAREER
HON'BLE MEMBER (J)

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 13.06.2024**

NAME OF THE PARTIES: - IA 3067/2024
Shri Dutt India Private Limited
Vs.
Spark Green Energy (Satara) Ltd
IA 1626/2024
Mr. Ashok Kumar Golechha
IN THE MATTER OF
Union Bank of India
V/s
Spark Green Energy (Satara) Ltd

Section: 60(5), 7 of the Insolvency and Bankruptcy Code, 2016

ORDER

IA.No.3067/2024: - Sr. Adv. Mr. Gaurav Joshi a/w Adv. Rashi Shah appeared for the Applicant (Successful Bidder). Adv. Manish Jha appeared for the Liquidator. List this matter on **04.07.2024**.

IA.No.2515/2020: - Mr. Ashok Kumar Golechha, liquidator appeared in person through VC. Adv. Priyank Jadhav appeared for Respondent Nos. 1 to 3. Adv. D. S. Mishra i/b Adv. Srinivas Sunderrajan Naval appeared for the Respondent No.5. Counsel Mr. Hursh Meghnani a/w Adv. Ooshma Jain appeared for the Respondent Nos. 7,8 and 9.

Counsel for the Respondent Nos.1 & 2 seeks more time to file reply. Time granted. Let the reply be filed within a period of three weeks by serving an advance copy of the reply to the counsel for the other side, failing which the right to file reply shall stand forfeited. Respondent No. 3 has already died. The reply on behalf of Respondent Nos. 4 & 7 to 9 has already been filed. Counsel for the Respondent No.5 seeks time to file reply. Let the reply be filed within a period of three weeks by serving an advance copy of the reply to the counsel for the other side. Court notices issued to Respondent No. 6 & 10 have been received back duly served, but none has appeared on behalf of Respondent No. 6 & 10 and therefore, Respondent No. 6 & 10 are proceeded against ex-parte.

Court notice sent to Respondent No. 11 to 14 has been received back undelivered with the report that they are not residing at the given addresses. Mr. Ashok Kumar Golechha, liquidator present in person through VC and seeks permission to serve the Respondent Nos. 11 to 14 by way of paper publication. Permission granted. Let the Respondent Nos. 11 to 14 be served by way of paper publication and an affidavit of service be filed before the next date of hearing. List this matter on **02.08.2024**.

IA.No.298/2021: - Mr. Ashok Kumar Golechha, liquidator appeared in person through VC. Adv. Priyank Jadhav appeared for Respondent Nos. 3 to 5. Adv. Prashansa Agrawal appeared for the Respondent No. 6. Adv. D S Mishra i/b Adv. Srinivas Sunderrajan Naval appeared for the Respondent No.7. Counsel Mr. Hursh Meghnani a/w Adv. Ooshma Jain appeared for the Respondent No. 9,10 and 11.

Counsel for the Respondent No.7 seeks time to file reply. Time granted. Respondent No. 8 & 12 are served through Court notice and as none has appeared on their behalf, they are proceeded against ex-parte. Court notice sent to Respondent No. 2, 13 to 14 has been received back undelivered with the report that

they are not residing in the given addresses. Mr. Ashok Kumar Golechha, liquidator present in person through VC and seeks permission to serve the Respondent No. 2, 13 to 14 by way of paper publication. Permission granted. Let the Respondent No. 2, 13 to 14 be served by way of paper publication and an affidavit of service be filed before the next date of hearing.

Respondent No. 3 & 4 have not filed reply despite the last opportunity granted on the last date of hearing on 23.04.2024. Since the reply on behalf of Respondent No. 3 & 4 has not been filed, therefore, the right to file reply of Respondent No. 3 & 4 stands forfeited. List this matter for final hearing on **02.08.2024**.

Sd/-
ANIL RAJ CHELLAN
Member (Technical)
JAGDISH

Sd/-
KULDIP KUMAR KAREER
Member (Judicial)