

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-II

24. **Company Appeal /2/2023 IA 42/2022- Sec 42 IA 1524/2020
IA 834/2020- 60(5) IA 1582/2020 MA 1237/2018 IA 482/2022
MA 1216/2019 IA 3554/2022 In CP(IB) 1832/MB/2017**

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 24.04.2024**

**NAME OF THE PARTIES: Company Appeal /2/2023 Employee
State Insurance Corporation Esic
Regional Office Chennai Vs. Liquidator
of Epc Constructions India Ltd**

**IA 42/2022 Huzefa Sitabkhan VS EPC
Constructions India Ltd.
IA 834/2020 Abhijit Guhathakurta.
IA 1237/2018 Abhijit Guhathkurta
IA 482/2022 Abhijit Guhathakurta Vs.
The State of Gujarat Through The
Mamlatdar Taluka Choryasi District
Surat
MA 1216/2019 SREI Equipment
Finance Ltd
IA 3354/2022 Mr. Abhijit
Guhathakurta**

**IN THE MATTER OF
IDBI Bank Limited.**

V/s

EPC Constructions India Limited

**Section: 7, Sec 60(5) Sec 49(2) Sec 42 of Insolvency and Bankruptcy
Code, 2016 Rule 11 of NCLT, 2016**

ORDER

Company Appeal No. 2/2023:- Adv. Amit Saple appeared for the Applicant.
Adv. Shriraj Khambete appeared for the Liquidator. At the request of the
parties, list the matter on **12.06.2024** for hearing.

IA No. 42/2022:- Adv. Dhiraj Mhetre appeared for the Applicant. Adv. Shriraj Khambete appeared for the Liquidator. At the request of the parties, list the matter on **12.06.2024** for hearing.

IA No. 1524/2020:- None has appeared for the Applicant. Adv. Shriraj Khambete appeared for the Liquidator. This application is listed on board on several occasions. However, it is evident from the order sheet of various dates that none has been appearing from the side of the Applicant. It appears that the Applicant is not interested in prosecuting the matter any further.

In view of the above conduct and continuous absence of the Applicant, we are of the considered view that the Applicant does not want to prosecute the application any further. Accordingly, **IA No. 1524/2020** is **dismissed for non-prosecution**.

IA No. 834/2020:- Adv. Shriraj Khambete appeared for the Liquidator/Applicant. Adv. Prakash Shinde a/w Ruchita Jain appeared for Respondent No. 1. Adv. Jovita A. Pereira appeared for Respondent No. 3. At the request of the parties, list the matter on **14.06.2024** for hearing.

IA No. 1582/2020:- Adv. Shriraj Khambete appeared for the Liquidator. Adv. Harsh S. Moorjani appeared for the Respondent. Adv. Navin P Sachanandani appeared for Essar mineral sources. Adv. Shreeya Pednekar appeared for Imperial Consultants and Securities. At the request of the parties, list the matter on **12.06.2024** for hearing.

IA No. 3554/2022:- Adv. Shriraj Khambete appeared for the Liquidator/Applicant. The present application has been filed by the Liquidator seeking amendment in IA No. 1582/2020 filed under Section 43, 45 and 66 of Insolvency and Bankruptcy Code, 2016. The Respondents in IA No. 1582/2020 have not been served with the copy of amendment application. Let a copy of the amendment application i.e. IA No. 3554/2022 be served upon the Respondents to enable them to file reply, if any, against the amendment application. List the matter on **12.06.2024** for further hearing.

MA No. 1237/2018:- Adv. Shriraj Khambete appeared for the Liquidator. Adv. Abhixit Singh appeared for Respondent No. 1 and 2. At the request of the parties, list the matter on **14.06.2024** for hearing.

IA No. 482/2022:- Adv. Shriraj Khambete appeared for the Liquidator. Adv. Mihir Govilkar appeared for the Respondents. At the request of the parties, list the matter on **12.06.2024** for hearing.

MA No. 1216/2019:- Adv. Rohit Gupta appeared for the Applicant. Adv. Shriraj Khambete appeared for the Liquidator. At the request of the parties, list the matter on **14.06.2024** for hearing.

Sd/-

ANIL RAJ CHELLAN
Member (Technical)

24.04.2024
Sushil

Sd/-

KULDIP KUMAR KAREER
Member (Judicial)