

**NATIONAL COMPANY LAW TRIBUNAL**  
**MUMBAI BENCH, COURT-II**

7. IA 3618/2022 IA 3619/2022 IA 3620/2022 IA 3621/2022 IA 3447/2022  
IA 48/2021 IA 2138/2020 IA 5396/2023 IA 5804/2023 IA 2527/2020  
IA 2133/2020 In C.P. (IB)/1545(MB)2019

**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 09.07.2024**

**NAME OF THE PARTIES: - IA620/2022 IA 3621/2022- Palak Desai**  
**V/s**  
**Kunal Jiwrajka**  
**IA 3447/2022 Palal Swapnil Desai**  
**V/s**  
**Indo National Limited**  
**IA 48/2021 Primarc Pecan Retail Pvt. Ltd.**  
**IA 2138/2020 Palak Swapnil Desai**  
**V/s**  
**Kunal Jiwrajka & Ors**  
**IA 5396/2023- Kunal Jiwrajka**  
**V/s**  
**Palak Desai**  
**IA 5804/2023 Laxmidevi Jiwraj**  
**IA 2527/2020 Palak Swapnil Desai .. Applicant**  
**V/s**  
**RBL bank & Ors**  
**IA 2133/2020 Palak Swapnil Desai**  
**V/s**  
**Kunal Jiwrajka & Ors**  
**IN THE MATTER OF**  
**Bombay Sales Agency**  
**V/s**  
**Jsk Marketing Ltd**

**Section: 42 Rule 11 of NCLT, 2016 Application under any other provisions-  
IBC, Section 43(1) r/w Sec 44 (1), Sec 66(1) U/s 7 of (IBC)**

**ORDER**

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**IA.No.3618/2022:** -

**Presence:** -

Adv. Tanushree Sogani ..... Applicant/Liquidator (through VC)  
Counsel Dharam Jumani a/w Adv. Vinay Gajjar  
i/b Adv. Chandrika Prajapati ..... Respondent No.14.

**IA.No.3619/2022:** -

**Presence:** -

Adv. Tanushree Sogani appeared ..... Applicant/Liquidator (through VC)  
Adv. Henna Jain i/b Adv Raina Birla .... Respondent No. 21 & 22 (through VC)

**IA.No.3620/2022:** -

**Presence:** -

Adv. Tanushree Sogani appeared ..... Applicant/Liquidator (through VC)  
Adv. Prashant Bare .....Respondent No. 25 & 26 (through VC)  
Adv. Manas Bahuguna a/w Adv. Anuj Jaiswar ... Respondent No.35 (through VC)  
Adv. Damini Thaker ..... Respondent No.36 (through VC)

**IA.No.3621/2022:** -

**Presence:** -

Adv. Tanushree Sogani appeared ..... Applicant/Liquidator (through VC)  
Adv. Nikita Panhalkar .....Respondent /Suspended Director (through VC).

Counsel for the Liquidator states that the process of assignment of these IAs to the assignee has already been completed. The paper publication already ordered to the applicant be carried out and a service affidavit in this regard along with service by publication will also be filed. Let the needful be done. List these matters for further hearing on **21.08.2024**.

**IA.No.3447/2022:** -

**Presence:** -

Adv. Tanushree Sogani appeared ..... Applicant/Liquidator (through VC)

None appeared for the Respondents.

This application has been filed by the Applicant/Liquidator under Section 43. The reply on behalf of Respondents No. 1 to 4 has not been filed despite being the last opportunity was granted, nor anybody is present on behalf of the Respondents. List this matter on **29.08.2024**. In the meanwhile, counsel for the Respondents shall be at liberty to file their reply well before the next date of hearing failing which the right to file reply shall stand closed.

**IA.No.48/2021:** -

**Presence:** -

Adv. Tanushree Sogani ..... Applicant/Liquidator (through VC)

Adv. Ajit Singh Tawar .... Respondent No. 4 & 5 (through VC)

Adv. Devashish Godbole ..... Respondent No. 6 (through VC)

Adv Henna Jain i/b Adv Raina Birla .... Respondent No.15 (through VC)

This Application has been filed by the Applicant / Liquidator. The reply on behalf of Respondents No. 4, 5, and 12 have been filed and the rest of the Respondents have not filed their reply. The last and final opportunity is granted to the rest of the Respondents to file their reply within a period of four weeks by serving an advance copy of the reply to the other side, failing which the right to file reply shall stand forfeited. List this matter for the final hearing on **29.08.2024**.

**IA.No.2138/2020: -**

**Presence: -**

Adv. Tanushree Sogani ..... Applicant/Liquidator (through VC)  
Adv. Nikita Panhalkar ... Respondent No.1/Suspended Director (through VC)  
Adv. Jaikumar N Shiradhonkar ..... Respondent No.7.  
Adv. Devendra Harnesha ..... Respondent No.9 (through VC)

Counsel for the Applicant/Liquidator stated that all the Respondents have already been served and two affidavits of services have already been filed, but none is present on behalf of the Respondents nor filed their reply. Let the reply on behalf of Respondent No.1 and the rest of the Respondents be filed within a period of three weeks subject to the last opportunity, failing which, the right to file reply shall stand forfeited. List this matter for the final hearing on **29.08.2024**.

**IA.No.5396/2023 and IA.No.5804/2023: -**

**Presence: -**

Adv. Nikita Panhalkar .... Applicants/Suspended Board of Director (through VC).  
Adv. Tanushree Sogani ..... Respondent/Liquidator (through VC)

These applications have been filed by the applicant/ Suspended Board of Directors challenging the maintainability of IA.No.2138/2020, IA.No.3618/2022, IA.No.3619/2022, IA.No.3620/2022, IA.No.3621/2022. Counsel for the Respondent / Liquidator seeks time to file reply. Let the reply to the applications also be filed within a period of four weeks by serving an advance copy of the reply to the other side. List these IAs on **29.08.2024**.

**IA.No.2527/2020: -**

**Presence: -**

Adv. Tanushree Sogani ..... Applicant/Liquidator (through VC)  
Adv. Jyoti A Singh a/w Adv. Sakil Ansari .... Respondent No. 9 (through VC)

This application has been filed by the Applicant/Liquidator. Respondent No.9 has already filed the reply. Respondents No. 1 to 8 have not filed the reply though they have been duly served, and an affidavit of service has already been filed. Let the reply, if any, on behalf of Respondents No. 1 to 8 be filed within a period of three weeks by serving a copy of the reply to the other side subject to the last opportunity. List this matter for the final hearing on **03.09.2024**.

**IA.No.2133/2020**: -

**Presence**: -

Adv. Tanushree Sogani ..... Applicant/Liquidator (through VC)  
Adv. Nikita Panhalkar ..... Respondent/Suspended Director (through VC)

This application has been filed by the Applicant/Liquidator against the Suspended Directors and some other persons. challenging certain transactions, Respondents No. 1 to 5 have already been served and an affidavit of service has already been placed on record, as stated at bar by the counsel for the Liquidator, but despite that none has appeared, nor any reply on behalf of Respondents No. 1 to 5 has been filed. Let the reply on behalf of Respondent No. 1 to 5 be filed within a period of four weeks by serving a copy of the reply to the other side, failing which the right to file reply shall stand forfeited automatically and the matter will be heard on merits. List this matter for the final hearing on **03.09.2024**.

**Sd/-**  
**ANIL RAJ CHELLAN**  
**Member (Technical)**

*JAGDISH*

**Sd/-**  
**KULDIP KUMAR KAREER**  
**Member (Judicial)**