

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

208. IA/4447/2023 IA/3288/2023 IA/301/2024 IA(PLAN)/6/2024 IN C.P.
(IB)/283(MB)2023

IN THE MATTER OF

Vistra Itcl (India) Limited

Vs

Envirant Developers Private Limited

Section 7 of the Insolvency & Bankruptcy Code, 2016

Order Delivered on 29.04.2024

CORAM:

MS. REETA KOHLI
MEMBER (J)

MS. MADHU SINHA
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Applicant in IA/301/2024: Adv. Shadab Jan (PH)

For the Applicant in IA/3288/2023 & IA(PLAN)/6/2024: Vidit D. Kumat (PH)

For the Respondent No. 2 in IA/4447/2023: Adv. Aniruth Purusothaman (PH)

For the Respondent No. 6 & 7 in IA/301/2024: Adv. Ryan D'Souza (PH)

For the Respondent No. 1 in IA/301/2024: Adv. Vidit D. Kumat (PH)

For the Respondent No. 5 in IA/301/2024: Adv. Aniruth Purusothaman (PH)

For the Respondent No. 5 in IA/3288/2023: Adv. Sumukh Valimbe (VC)

For the Respondent No. 2 in IA/3288/2023: Adv. Aniruth Purusothaman (PH)

ORDER

I.A. 301/2024

Respondent No. 6 & 7 have filed the reply. Respondent No. 1 and 5 pray for time to file the reply. Allowed as prayed for. Let the reply be filed before the next date by serving an advance copy to the Counsel opposite.

Despite service none has appeared on behalf of the Respondent Nos. 2 to 4. Hence, they are proceeded ex-parte and their right to file reply stands forfeited.

Adjourned to **09.05.2024**.

I.A. 4447/2023

Respondents are directed to file the hard copy of the reply before the next date.

Adjourned to **02.05.2024**.

I.A. 3288/2023

The present I.A. has been filed by the RP against the Respondents i.e. Suspended Directors for non-cooperation. Reply has been filed on behalf of the Respondent No. 2 and 5. None has appeared on behalf of the Respondent No. 1, 3 & 4. In view of the fact that they already stand served and have chosen not file reply. The Ld. Counsel for the Applicant submits that they are still not co-operating. The Ld. Counsel for the Applicant submits that in view of the fact that the plan already stands approved by the COC and is listed for approval before the Hon'ble Tribunal. Thus, in view of the continuous non-cooperation on the part of the Respondents namely Jayant Vallabhdas Kaneria, Dhirajlal Gordhandas Hansalia & Mohan Pandurang Kalate, let the matter be referred to the IBBI. In view of the submissions made by the Ld. Counsel, IBBI is directed to initiate appropriate action against these Respondents.

Let the I.A. be posted for **02.05.2024** qua the conduct of the Respondent No. 2 and 5.

IA(PLAN)/6/2024

Adjourned to **09.05.2024**.

Sd/-
MADHU SINHA
Member (Technical)
Shubham

Sd/-
REETA KOHLI
Member (Judicial)