

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

8(b). I.A. 3314/2024 In C.P. (IB)/1291(MB)2021

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **28.06.2024**

NAME OF THE PARTIES: Connect Residuary Private Limited

VS

MT Educare Limited

Appearance

For Applicant/RP(In IA3314/2024): Adv. Harris Khan,

Adv Rushikesh Dusane i/b Adv. Ajinkya Kurdukar

For Respondent: Sr. Adv. Pradeep Sancheti a/w Adv. Kunal Kanungo,

Adv. Tanushree Sogani & Adv. Atishay Jain

SECTION 9 OF THE IBC, 2016

ORDER

Hearing Through: Virtually and Physical (Hybrid) Mode

I.A 3314/2024

This Application has been filed by the RP seeking to restrain the SVC Cooperative Bank Limited / Respondent from disturbing the peaceful possession of the Corporate Debtor at the Door No 1-18/50, 1-18/51, 1-18/52, 1-18/53, 1-18/54 Near Kottara Chowki, Bangrakuloor, Kuloor Post, Mangalore 575 013 ("Subject Property").

On an application under Section 14 of the SARFAESI Act, seeking possession of the Subject Property, the Respondent has obtained an order dated

07.02.2024 passed by Sr. Civil Judge and CJM wherein Court Commissioner has been appointed to take possession of the Subject Property from corporate debtor.

Since the corporate debtor is under CIRP, taking possession of the property of corporate debtor would be in violation of section 14 of IBC. Hence, **status-quo be maintained till further orders.**

Mr. Pradeep Sancheti, Sr. Adv. Appears on behalf of the respondent and accepts notice and seeks time to file Reply. Reply be filed within two weeks after serving copy to the other side. Rejoinder, if any, be filed within two weeks. Status-quo be maintained. List on **22.08.2024**

Sd/-

CHARANJEET SINGH GULATI
Member (Technical)

//Surbhi//

Sd/-

LAKSHMI GURUNG
Member (Judicial)