

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH

ITEM No.17
I.A. Nos. 147, 93, 111, 123,
126, 134, 177, 209
& 253 of 2021 in
C.P. (IB)No.154/BB/ 2017

IN THE MATTER OF:

State Bank of India

... Petitioner

v.

M/s. Deepak Cables (India) Ltd.

... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

CORAM:

Order delivered on 25.05.2022

SH. AJAY KUMAR VATSAVAYI
HON'BLE MEMBER (JUDICIAL)

SH. MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant in I.A. Nos.93,
123, 126, 134, 209 & 233/Respondent in
I.A. Nos.117 & 111/Liquidator

: Ms. Jayasree Narasimhan

For the Respondent Nos.1-3 & 6 in I.A.
No.93 of 2021, Respondent Nos.1-10 in
I.A. No.123 of 2021, Respondent Nos.1-3
& 5-6 in I.A. No.126 of 2021,
all the Respondents in I.A. No.134
of 2021, Respondent Nos.1-3 and 10-16
in I.A. No.209 of 2021 & Respondent
Nos.1-4 in I.A. No.233 of 2021

: Shri Atul Madhavan

For the Applicant in I.A. Nos.111 & 177
of 2021

: Ms. Anupama

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For the Respondent Nos. 5, 7 & 8 in
I.A. No.209 of 2021 : Shri S.K. Srinivasan

For the Authorised Representative of
Respondent in I.A. No.147 of 2022/
Liquidator : Shri Ullasa B.C.

ORDER

I.A. No.147 of 2020

1. Heard Shri Ullasa B.C., the Authorised Representative for the Respondent/Liquidator and none for the Applicant.
2. The Authorised Representative for the Respondent submits that the Applicant's Counsel is not able to attend the Court today and accordingly, seeks short accommodation.
3. List the I.A. on **19.07.2022**.
4. The Applicant shall file rejoinder, if any, within two weeks, failing which their right to file rejoinder stands forfeited and the I.A. will be decided on the next date of hearing.

I.A. No.93 of 2020

1. Heard Ms. Jayasree Narasimhan, learned Counsel for the Applicant/Liquidator, Shri Atul Madhavan, learned Counsel for the Respondent Nos.1-3 and 6, Shri Avinash Balakrishna along with Shri Aditya Sethi, learned Counsel for the Respondent Nos.7 & 8 and Shri Praveen Kumar, learned Counsel for the Respondent Nos.4 & 5.
2. In spite of availing substantial time, Respondent No.4, 5, 7 and 8 only filed their reply. The remaining Respondents shall file their reply within two weeks from today. The Applicant shall file their rejoinder, if any, thereto within one week from the date of receipt of copy of replies.
3. If any of the parties failed to complete their part of pleadings, their respective right stand forfeited and the I.A. will be decided based on the record available on the next date of hearing.
4. List the I.A. on **19.07.2022**.

I.A. No.111 of 2021

1. Heard Ms. Anupama, learned Counsel for the Applicant and Ms. Jayasree Narasimhan, learned Counsel for the Respondent/Liquidator.

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2. The learned Counsel for the Respondent submits that they have already filed their reply vide diary no.1029 dated 14.03.2022. The Applicant shall file their rejoinder, if any, within two weeks from today, failing which their right to file rejoinder stands forfeited and the I.A. will be decided based on the record available on the next date of hearing.
3. List the I.A. on **19.07.2022**.

I.A. No.123 of 2021

1. Heard Ms. Jayasree Narasimhan, learned Counsel for the Applicant/Liquidator, Shri Atul Madhavan, learned Counsel for all the Respondents.
2. The learned Counsel for all the Respondent seeks time to file Reply. He is permitted to file Reply within two weeks from today, after service on the other side. The Petitioner shall file rejoinder, if any, thereto within one week, from the date of receipt of a copy of reply, after service on the other side.
3. If any of the parties failed to complete their part of pleadings, their respective right stand forfeited and the I.A. will be decided based on the record available on the next date of hearing.
4. List the I.A. on **19.07.2022**.

I.A. No.126 of 2021

1. Heard Ms. Jayasree Narasimhan, learned Counsel for the Applicant/Liquidator, Shri Atul Madhavan, learned Counsel for the Respondents.
2. The learned Counsels for the Respondents seek time to file their Reply. They are permitted to file their Reply within two weeks from today, after service on the other side. The Petitioner shall file rejoinder, if any, thereto within one week, from the date of receipt of copy of reply, after service on the other side.
3. If any of the parties failed to complete their part of pleadings, their respective right stand forfeited and the I.A. will be decided based on the record available on the next date of hearing.
4. List the I.A. on **19.07.2022**.

I.A. No.134 of 2021

1. Heard Ms. Jayasree Narasimhan, learned Counsel for the Applicant/Liquidator, Shri Atul Madhavan, learned Counsel for all the Respondents.
2. The learned Counsel for all the Respondent seeks time to file Reply. He is permitted to file Reply within two weeks from today, after service on

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the other side. The Petitioner shall file rejoinder, if any, thereto within one week, from the date of receipt of a copy of reply, after service on the other side.

3. If any of the parties failed to complete their part of pleadings, their respective right stand forfeited and the I.A. will be decided based on the record available on the next date of hearing.
4. List the I.A. on **19.07.2022**.

I.A. No.209 of 2021

1. Heard Ms. Jayasree Narasimhan, learned Counsel for the Applicant/Liquidator, Shri Atul Madhavan, learned Counsel for the Respondent Nos.1-3 and 10-16 and Shri S. K. Srinivasan, the learned Counsel for the Respondent Nos.5, 7 & 8 and the learned Counsel for the Respondent Nos.4, 6 & 9.
2. All the learned Counsels for the Respondents seek time to file their Reply. They are permitted to file their Reply within two weeks from today, after service on the other side. The Petitioner shall file rejoinder, if any, thereto within one week, from the date of receipt of copy of replies, after service on the other side.
3. If any of the parties failed to complete their part of pleadings, their respective right stand forfeited and the I.A. will be decided based on the record available on the next date of hearing.
4. List the I.A. on **19.07.2022**.

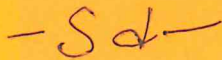
I.A. No.233 of 2021

1. Heard Ms. Jayasree Narasimhan, learned Counsel for the Applicant/Liquidator, Shri Atul Madhavan, learned Counsel for all the Respondents.
2. The learned Counsel for all the Respondent seeks time to file Reply. He is permitted to file Reply within two weeks from today, after service on the other side. The Petitioner shall file rejoinder, if any, thereto within one week, from the date of receipt of a copy of reply, after service on the other side.
3. If any of the parties failed to complete their part of pleadings, their respective right stand forfeited and the I.A. will be decided based on the record available on the next date of hearing.
4. List the I.A. on **19.07.2022**.

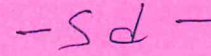
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I.A. No.177 of 2021

1. Heard Ms. Anupama, learned Counsel for the Applicant and Ms. Jayasree Narasimhan, learned Counsel for the Respondent/Liquidator.
2. This Application has been filed by Karnataka Power Transmission Corporation Ltd. under Rule 11, r/w Rule 154 of the NCLT, Rules, 2016, seeking to recall the order dated 17.03.2021 in I.A. No.67 of 2021 in C.P.(IB)No.154/BB/2017.
3. The order dated 17.03.2021 in I.A. No.67 of 2021 which is enclosed to the I.A. clearly reveals that the same was disposed of finally by this Adjudicating Authority after hearing both sides and by giving appropriate reasons. The learned Counsel for the Applicant submits that on 17.03.2021 no order was passed by this Adjudicating Authority and on the other hand the Adjudicating Authority adjourned the matter to 16.04.2021.
4. The learned Counsel for the Applicant failed to substantiate the said submission on the face of the detailed order passed by this Adjudicating Authority on 17.03.2021 in I.A.No.67 of 2021 in C.P.(IB)No.154/BB/2017.
5. In the circumstances, we do not find any merit in the instant I.A. and the same is accordingly dismissed. However, this order shall not preclude the Applicant from challenging the order dated 17.03.2021 if they are aggrieved with the same, in accordance with law.



(MANOJ KUMAR DUBEY)
MEMBER (TECHNICAL)



(AJAY KUMAR VATSAVAYI)
MEMBER (JUDICIAL)

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