

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH, BENGALURU**
(Through Physical Hearing / VC Mode (Hybrid))

ITEM No.14

**I.A No. 386, 536, 561/2022
I.A No.152, 158, 235 & 441/2023
Contempt Petition No.2/2023
I.A No.497/2023 & 156, 302, 268 & 336/2024 in
C.P. (IB) No.31/BB/2021**

IN THE MATTER OF:

Mr. Anil Kempanna H.P Vs M/s. E Infrastructure & Entertainment (India) Private Limited	Petitioner Respondent
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Order under Section 7 of I & B Code, 2016

Order delivered on 09.07.2024

CORAM:

**SHRI K. BISWAL
HON'BLE MEMBER (JUDICIAL)**

**SHRI MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant in I.A No.561/2022
& I.A No.235/2023 & Respondent No.1
In I.A No.386/2022, R2 in 152/23,
R4 in 158/2023 & 441/2023 and
R9 in 497/2023 and A2 in Contempt
Petition No.2/2023 : Ms. Laxmi Menon

For R5 & 6 in I.A No.386/2022,
R3 & 4 in I.A No.536/2022, R1 in
152/2023, R2 in 158/2023,
R2 & 3 in I.A No.441 & 497/2023 : Shri Saji.P.John

For the Liquidator : Shri T Ravichandran
For the Applicant in I.A No.536/2022: Ms. Srishiti Gupta
For R2 in I.A No.386 & 536/2022 : Shri Narayana Kamma
For R3 in Contempt Petition No.2/23: Ms. Chithra Nirmala

ORDER

1. Heard the Learned counsel for the Liquidator.
2. The Counsel for the Liquidator stated that I.A No. 302 & 336 of 2024 is already disposed of on the last date of hearing i.e.10.06.2024 and the same is wrongly listed today. Registry is directed to delete the I.As from the cause list on the next date of hearing.
3. Further stated that he has filed two new applications bearing I.A No.435 & 436 of 2024 and the same is not listed today. Therefore, registry is directed to verify and list the same on the next date of hearing.

I.A. No.386/2022

1. Heard the Ld. Counsel for the Applicant and Respondent.
2. The Ld. Counsel for the Applicant requested time to file short synopsis and also convenience compilation in respect of the application. Therefore, he is directed to file the same within two weeks duly serving the copy on the otherside. List on **21.08.2024**.

I.A No.536/2022

1. Heard the Ld. Counsel for the Applicant and Respondent.
2. The present application is filed by the Applicant under Section 47 & 66 of IBC 2016 for fraudulent transactions.
3. It is noticed that the Liquidator has already filed separate application in respect of the same reliefs. However, the Applicant Counsel requested to take up both the I.As together for hearing and allow her to make submissions in respect of the case. List on **21.08.2024**.

I.A No.561/2022

1. The present application is filed by the Applicant under Section 42 of the I & B Code 2016 interalia seeking to set-aside the letter issued by the Liquidator/Respondent communicated vide e-mail dated 14.09.2022 by virtue of which the claim of the financial Creditor/Applicant amounting to Rs.9,90,02,496/- has been rejected and direct the liquidator to admit the claim of the Applicant.
2. Heard the Ld. Counsel for the Applicant and Respondent.
3. The Applicant Counsel stated that the Applicant has produced sufficient documents to the Respondent to prove the financial debt owned by the Corporate Debtor. However, the Counsel for the Respondent stated that the Applicant has not submitted the required/supporting documents for the verification of the claim, therefore the Respondent rejected the claim of the applicant.
4. Considering the submissions of both the Ld. Counsels, the Applicant is permitted to furnish the requisite documents in support of their claim to the Liquidator within one week from the receipt of the copy of this order

and the Liquidator is directed to verify the same and pass an appropriate order in accordance with law. Accordingly **I.A No.561/2022** is disposed of.

CONTEMPT PETITION No.02/2023

1. Heard the Ld. Counsel for the Applicant and Respondent.
2. It is noticed that as per order dated 06.03.2024 reply from the Respondents No.1,2,4 & 5 stands forfeited due to non-filing the reply.
3. **Order Reserved.**
4. The Ld. Counsel for the Liquidator is directed to file short synopsis in the present case within one week duly serving the copy on the otherside.

I.A No.152, 158, 235, 441, 497/2023 and 156 & 268/2024

1. Heard the Ld. Counsel for the Applicant and Respondent.
2. All the parties are directed to complete their respective part of the pleadings/reply/rejoinder within a period of two weeks from today.
3. List the I.As on **21.08.2024**

Sd/-
(MANOJ KUMAR DUBEY)
MEMBER (TECHNICAL)

Sd/-
(K. BISWAL)
MEMBER (JUDICIAL)