

NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH

CORAM: **SHRI SHYAM BABU GAUTAM** **TMT. T.KRISHNA VALLI**
 HON'BLE MEMBER (TECHNICAL) **HON'BLE MEMBER (JUDICIAL)**

PETITION No./IA No.	IA(C/ACT)/121/KOB/2024 IN IA(C/ACT)/75/KOB/2024 in TCP/21/KOB/2019
SECTION	RULE 11 NCLT
NAME OF PARTIES	JINAN K R (FORMER ADMINISTRATOR) IN THE MATTER OF BHAGYODAYAM COMPANY
PETITIONERS ADVOCATE/ PROFESSIONAL	MA SHAJI, VINAY MATHEW JOSEPH, KARTHIKA K J.
RESPONDENTS ADVOCATE/ PROFESSIONAL	ASHOK B SHENOY, P S GIREESH, RAYMOND GEORGE DIAS, ARJUN R NAIK, AC VENUGOPAL.

2nd JULY 2024

O R D E R

IA(C/ACT)/121/KOB/2024 IN IA(C/ACT)/75/KOB/2024 in TCP/21/KOB/2019.

Learned Counsel, Mr. M A Shaji appears physically on behalf of the Applicant/former Administrator of M/s. Bhagyodayam Company and invited our attention to the present IA bearing No. 121/KOB/2024, which is apparently filed in compliance of order dated 28.05.2024.

On Cursory perusal of the Compliance Report filed by the former Administrator under Rule 11 & 32 of the NCLT Rules, 2016, it is evidently clear that the Applicant/Former Administrator is seeking certain reliefs, which cannot be granted by this Tribunal. It is acknowledged that this bench had directed the former Administrator to submit a Compliance Report duly indicating the details including but not limited to the status of each case pending in the matter, the steps taken in the regard, and inform about the same to the newly appointed Board of Directors. However, nothing sort of that compliance has been observed to be carried out in the present compliance report. The

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former Administrator has also not indicated as to how these cases, which are pending for adjudication before this Tribunal and also with other Judicial Forums shall be dealt with and who will pursue those cases in the near future.

Since the Applicant/Former Administrator is already discharged, it is necessary that if the company decides to pursue these matters, proper substitution application be made to substitute in place of the Administrator the proper person so authorised by the company to effectively deal with all the matters. The applicant is directed to make take proper steps in this regard as stated supra and report full compliance on or before **31.07.2024.**

Post this matter for compliance report on **31.07.2024.**

Sd /-

**SHYAM BABU GAUTAM
MEMBER (TECHNICAL)**

Sd /-

**T.KRISHNA VALLI
MEMBER (JUDICIAL)**