

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT- I) CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **02.07.2024** THROUGH VIDEO CONFERENCING

PRESENT: HON'BLE SHRI. SANJIV JAIN, MEMBER (JUDICIAL)
HON'BLE SHRI. VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

IN THE MATTER OF : DBS Bank India Ltd
Vs
Gonglu Agro Pvt Ltd

MAIN PETITION NUMBER : CP(IB)/61(CHE)2022

(IA/MA) APPLICATION NUMBERS

IA/909(CHE)/2023; IA(IBC)/309(CHE)2023

ORDER

IA/909(CHE)/2023

Present: Ld. Counsel Shri. Jayanath Viswanathan for the Applicant /
Liquidator.

Ld. Counsel Shri. Ashwin Shanbhag for the Respondent No. 4.
Respondent No.1 is ex-parte.

Right of Respondents No. 2, 3, 5, 6, 7 and 8 to file Reply is already
closed.

Heard.

This application pertains to transactions which have taken place on
30.05.2022 and 01.06.2022. The CIRP order was passed on 30.05.2022.
Respondent No. 4 is a Chartered Accountant appointed by the Corporate
Debtor. The payment made to the Respondent No. 4 was in the ordinary course
of transactions. There is nothing on record to indicate whether these
transactions are in the ordinary course of business or not.

It is also not known when this order came to the notice of the Corporate
Debtor / Suspended Directors.

Having gone through the application and the transactions, we find that except transaction which happened on 01.06.2022, other transactions were in the ordinary course of business and prior to 31.05.2022 when the order came to the notice of the parties.

Having regard to these facts, we find no merits in the application.

Application is **dismissed** with liberty to the Applicant to file application relating to the transaction happened on 01.06.2022.

IA(IBC)/309(CHE)2023

Present: Ld. Counsel Shri. Jayanath Viswanathan for the Applicant /
Liquidator.

Ld. Counsel Shri. Vikram P Jain for the Respondents No. 5, 6
and 7.

Ld. Counsel Shri. A G Sathyanarayana for the Respondent No.
4.

Amended memo of parties filed.

Despite service, no one is present for Respondent No. 1 to 3. They are set
as ex-parte.

Pleadings are complete.

List the application for hearing on **23.08.2024**.

Sd/-

(VENKATARAMAN SUBRAMANIAM)
MEMBER (TECHNICAL)

MG

Sd/-

(SANJIV JAIN)
MEMBER (JUDICIAL)