

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
COURT-II**

Item 12

CA No. 54/2019, 601/19,
1239/2019, 1240/2019 & 27/2020
IA No.
480/2020,
705/2020
793/22
888/22
1360/23
1689/23
In
CP(IB) No.159/Chd/Pb/2018
(Admitted)

Under Section 7 & 60(5), IBC 2016
& R 11 & 154 NCLT
Regulations 38 & 44 of IBBI.

In the matter of:-

Oriental Bank of Commerce

.....Petitioner/Financial Creditor

Vs.

Millennium Wires Pvt. Ltd.

....Respondent/Corporate Debtor

Present :

Mr. Anil Kumar Aggarwal, Advocate for the liquidator in CA Nos. 54/2019, 601/2019, 1239/2019, 1240/2019, 27/2020 and IA Nos. 480/2020, 705/2020, and 888/2022.

Mr. Subhash Saini, Liquidator in person in CA No. 54/2019, 601/19, 1239/2019, 1240/2019 & 27/2020 and for IA No. 480/2020, 705/2020, 888/22, 1360/23 & 1689/23.

Ms. Pridhi Singla, Advocate for respondent No. 5 in CA No. 27/2020 & CA No. 1239/2019 and for respondent in CA No. 601/2019 and respondent No. 3 in CA No. 1240/2019.

Mr. Manish Jain, Advocate with Ms. Divya Sharma, Ms. Krishna Dayama and Mr. Siddhant Jain, Advocates for respondent no. 1 and 2 in CA No. 54/2019, for respondent nos. 1 to 4 in IA No. 1239/2019, respondent nos. 1,2 & 5 in IA No. 1240/2019, respondent nos. 1 to 4 in CA No. 27/2020 and for respondent no. 1 and 2 in IA No. 480/2020.

Ms. Preeti Yadav, Advocate for respondent nos. 6,8,11 and 17 in CA No. 1239/2019, respondent no. 4 in CA No. 1240/2019, for respondent Nos. 6, 8,11,17 in CA No. 27/2020 and for applicant in IA No. 793/2022.

Mr. Pulkit Goyal, proxy counsel for Mr. Mohinder Singh, Advocate for respondent-PNB (earlier OBC) in IA No. 705/2020 & 480/2020. Respondent Nos. 9,10,12 to 16, 19 to 28 in CA No. 27/2020 are already ex-parte vide order dated 25.04.2022.

CA No. 27/2020

It is stated by learned counsel for respondent No. 3 and 4 that reply has been e-filed. Let hard copy of the same be filed during the course of day.

Rejoinder to reply of respondent Nos. 3 and 4 has been filed vide Diary Nos. 01083/25 and 01083/24 dated 25.08.2023. Rejoinder to reply of respondent No. 6 has been filed vide Diary No. 01083/18 dated 25.05.2023. Rejoinder to reply of respondent No. 7 has been filed vide Diary No. 01083/19 dated 25.05.2023. Rejoinder to reply of respondent No. 8 has been filed vide Diary No. 01083/20 dated 25.05.2023. Rejoinder to reply of respondent No. 11 has been filed by Diary No. 01083/21 dated 25.05.2023. Rejoinder to reply of respondent No. 17 has been filed vide Diary No. 01083/22 dated 25.05.2023. The same are taken on record. Amended memo of parties filed vide Diary No. 01083/16 dated 13.03.2023 is taken on record

Learned counsel for the applicant is directed to file affidavit that array of respondents in CA No. 27/2020 are not covered in judgment passed by Hon'ble Supreme Court of India in the matter of ***Gluckrich Capital Private Limited Vs. State of West Bengal & Ors.***' List on 18.10.2023.

IA No. 888/2022

It is stated by learned counsel for liquidator that present application has rendered infructuous as amended memo of parties is already filed. Thus, IA No. 888/2022 is disposed of accordingly.

IA No. 1360/2023

The present application has been filed under Rule 11 of NCLT Rules, 2016 read with Regulation 31A (10) of IBBI (Liquidation process) Regulations, 2016 to place on record minutes of meeting of SCC held on 24.05.2023. The same is taken on record subject to just exceptions. IA No. 1360 is disposed of accordingly.

IA No. 1453/2023

It is pointed out by learned counsel for the liquidator that the present application has been disposed of vide order dated 06.07.2023, which is wrongly listed. The concerned officer is warned to be careful in future.

IA No. 1689/2023

This application has been filed under Rule 11 of NCLT Rules, 2016 read with Regulation 44 of IBBI (Liquidation process) Regulations, 2016 for further extension of liquidation period for more one year from 19.08.2023 to 18.08.2024 as the extended period of liquidation will expire on 18.08.2023 as per order dated 05.08.2022 passed by this Tribunal in IA No. 891/2022. Now in the said extension expires on 18.08.2023. The liquidation process could not be completed during the said extension period due to pendency of number of litigations on different platforms, details of which have been given on Page 5, 6 & 7 of the application. Learned counsel for the applicant is directed to place on record the recommendation of the SCC regarding such extension before the next date of hearing. List on 18.10.2023.

CA No. 1240/2019

It is stated by learned counsel for respondent No. 5 that reply has been e-filed. Hard copy of the same be filed during the course of day. However, rejoinder has been filed to reply of respondent No. 5 vide Diary No. 01300/8 dated 25.08.2023. The same is taken on record.

It is stated by Ms. Pridhi Singla, learned counsel for respondent No. 3 that they do not want to file reply as the application for deletion of name from the array of respondents is to be filed. Let the same be filed. List on 18.10.2023.

IA No. 480/2020

Rejoinder to reply of respondent No. 3 has been filed vide Diary No. 00362/7 dated 21.11.2022. The same is taken on record. Pleadings are complete. Let the matter be listed before Regular Bench for arguments on 18.10.2023.

IA No. 705/2020

Rejoinder has been filed vide diary No. 01551/5 dated 21.11.2022. The same is taken on record. Let the matter be listed for arguments on 18.10.2023.

IA No. 793/2022, CA Nos. 54/2019 & 601/2019

List on 18.10.2023.

CA No. 1239/2019

Rejoinder to reply of respondent No. 3 has been filed vide Diary No. 01301/21 dated 25.08.2023. Rejoinder to reply of respondent No. 4 has been filed vide Diary No. 01301/22 dated 25.08.2023. Rejoinder to reply of respondent No. 6 has been filed vide Diary No. 01301/14 dated 21.04.2023.

Rejoinder to reply of respondent No. 7 has been filed vide Diary No. 01301/16 dated 21.04.2023. Rejoinder to reply of respondent No. 8 has been filed vide Diary No. 01301/15 dated 21.04.2023. Rejoinder to reply of respondent No. 11 has been filed vide Diary No. 01301/17 dated 24.04.2023. Rejoinder to reply of respondent No. 17 has been filed vide Diary No. 01301/18 dated 24.04.2023. The same are taken on record. List on 18.10.2023.

Sd/-

(Umesh Kumar Shukla)
Member (Technical)

Sd/-

(Harnam Singh Thakur)
Member (Judicial)

September 6, 2023

Vriti