

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

Item 17

**IA No. 589/2021, 647/2022, 648/2022
649/2022, 133/2022, 582/2022
807/2022, 616/2020, 576/23, 597/23
In
CP(IB) No. 174/Chd/Chd/2018
(Admitted)**

**Under Section 7 & 66 & 43, 49, 50,
69 & 60(5), IBC 2016**

In the matter of:-

Small Industries Development
Bank of India.

...Petitioner/Financial Creditor

Vs.

International Mega Food Park Ltd.

...Respondent/ Corporate Debtor

Present: Dr. Rajansh Thukral, Advocate with Mr. Sumat Kumar Gupta, RP in person for respondent in IA Nos. 807/2022, 133/2022 and 582/2022 and for the applicant in IA Nos. 589/2021 and 616/2020
Mr. Manish Jain with Ms. Divya Sharma, Advocates for the respondent no. 2 in IA No. 648/2022.
Er. Sandeep Suri, Advocate for respondent nos. 4,5 and 6 in IA No. 589/2021 and respondent no. 2 in IA No. 649/2022.
Mr. Manuj Nagrath with Mr. Sahil Thakur, Advocates for respondents in IA No. 589/2021, 647/2021, for respondent nos. 1 and 3 in IA No. 648/2021, for respondent nos. 1,5 and 6 in IA No. 649/2022 and for the applicant in IA Nos. 133/2022, 582/2022 and 807/2022.
None for the applicant in IA No. 597/2023.

IA No. 576/2023 and IA No. 589/2021

IA No. 576/2023 has been filed to place on record the reply filed by Respondents No. 6 to 8 after condonation of delay in filing the same on the ground that the complete documents were not available with him as part of it was lying with investigating agencies. In view of the same, IA No. 576/2023 is allowed and the reply

filed by respondents no. 6 to 8 is taken on record subject to just exceptions. IA No. 576/2023 is disposed of accordingly.

IA No. 589/2021 was filed under Section 66 of the Code. Mr. Manuj Nagrath, Advocate accepts notice by order dated 14.11.2022 on behalf of respondents no. 1 to 5 and states that he would be filing an application for setting aside the ex-parte order dated 23.05.2022 within one week. Er. Sandeep Suri, Advocate appearing on behalf of respondents no. 6 to 8 has stated that he has filed an application, however, he cannot supply the Diary No. and application is not before us today. He is directed to furnish the diary no. of the application to the court master at the earliest and if the same is free from defects, the Registry is directed to list the same along with the present application on the next date of hearing. The learned counsel for the applicant is directed to supply a copy of IA No. 589/2021 to the respondents within one week. List the matter on 30.03.2023.

IA No. 647/2022

Mr. Manuj Nagrath, Advocate appearing on behalf of Respondents no. 1,2 and 6 requested for further time to file an application for restoration. Let the same be filed within two weeks. It appears that no application has been filed on behalf of respondents no. 3 to 5 and none has appeared on behalf of them today. However, in the interest of justice, one more opportunity is granted to the respondents no. 3 to 5 comply with our earlier order. The learned counsel for the applicant is directed to supply a copy of IA No. 647/2022 to the respondents within one week. List the matter on 30.03.2023.

IA No. 648/2022

This application has been filed under Section 49 of the Code. Learned counsel for the applicant is directed to file rejoinder to the reply filed by respondent no. 2 within two weeks with a copy in advance to the counsel opposite. Mr. Manuj Nagrath, Advocate appearing on behalf of Respondents no. 1 and 3 requested for further time to file an application for restoration. Let the same be filed within two weeks. List the matter on 30.03.2023.

IA No. 649/2023

This application has been filed under Section 43 of the Code. Respondent nos. 1,5 and 6 are directed to file reply within two weeks with a copy in advance to the counsel opposite. It is stated by learned counsel for the applicant that regarding respondent no. 3 publication has been made and affidavit of service has been filed vide Diary No. 1135/4 dated 16.12.2022 and the same is taken on record. Respondent no. 4 has been deleted from the array of parties and amended memo of parties has also been filed and taken on record. Learned counsel for the applicant is directed to supply a copy of the application on the respondents within one week. List the matter on 30.03.2023.

IA No. 133/2022

Heard the learned counsel. Order reserved.

IA No. 582/2022

Learned counsel for the RP is directed to file Balance Sheet and Profit and Loss Account of the Corporate Debtor within one week from Financial Year 2018-19 onwards. Heard the learned counsels. Order reserved.

IA No. 807/2022

This is an application with a prayer to cancel the Bid in favour of H1 bidder. Heard the learned counsel. Order reserved.

IA No. 597/2023

List the matter on 30.03.2023.

IA No. 616/2023

Convenience performa filed by Diary No. 0350/09 dated 05.01.2023 is taken on record. The learned counsel for the RP is directed to convene a meeting of CoC within one week and take the names of two members of the Committee of Creditors which will form part of Monitoring Committee. He is also directed to contact the SRA and collect the name of one member from new board of Directors of the Corporate Debtor to be included in the Monitoring Committee. Let the same be done within one week. The information regarding the Monitoring Committee duly constituted along with a note on the pending GST duly stated to have been received after the initiation of CIRP and whether there is a plan for payment of the same be filed within two weeks. List the matter on 30.03.2023.

-sd-

**(Subrata Kumar Dash)
Member (Technical)**

March 07, 2023
SM

-sd-

**(Harnam Singh Thakur)
Member (Judicial)**