

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-514

(IB)-254(PB)/2017

IA/5901/2021, CA/789/2018, CA/636/2019, CA/1211/2019, CA/1479/2019,
Appeal-46/2021, IA-3807/2022, Appeal-27/2022, IA/3646/2022,
IA-3454/2023

IN THE MATTER OF:

Central Bank of India

....Applicant

Vs.

NCML Industries Ltd.

.....Respondent

SECTION

U/s 7 of (IBC)

Order delivered on 02.02.2024

CORAM:

SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)

Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant	: Adv. Lakshmi Sree P.
For the Respondent	: Mr. Prafful Saini, Mr. Harshit Khare, Advs. for R 1 in IA/3454/2023 Ms. Purti Gupta, Ms. Henna George, Advs. for R 1 in CA/789/2018 & CA/1211/2019 & CA/636/2019 Mr. Arjun Parashar, Adv. in for R-3 in IA/3454/2020 Mr. Manoj Kumar Garg, Mr. Kundan Kumar Roy, Mr. Pulkit Atal, Mr. Sachin Kaushik, Advs. for R2 & R3 Purti Gupta, Ms. Henna George for R1 in CA/789/2018, CA/1211/2019 & CA/636/2019 Adv. Santosh Kumar Rout along with Adv. Dharna Veragi for R 5 in IA/3454/2023
For the Liquidator	: Mr. Abhishek Anand, Adv.
For the Regent Enterprise	: Adv. Sumant Batra, Adv. Nidhi Yadav and Adv. Sarthak Bhandari in CA/789/2018

ORDER

IA/5901/2021, IA/3646/2022:-

No one is present on behalf of the Applicant at the time of hearing of the matter. Ld. Counsel on behalf of the Liquidator is present and submitted that

the issue involved in both these applications is still pending before the Hon'ble Supreme Court in Civil Appeal No. 2206/2021, wherein the Hon'ble Supreme Court ordered for status quo. Since the legal issue involved in these applications is still pending before the Hon'ble Supreme Court, it would be appropriate to defer the hearing in this matter. List this application on **19.03.2024**.

CA/789/2018, CA/636/2019:-

Ld. Counsel on behalf of the Liquidator is present. Ld. Counsel on behalf of the R-1 in CA/789/2018 is also present. It is noticed that in both these applications i.e. CA/789/2018, CA/636/2019, documents are not available on the e-portal of the Tribunal. Parties in both these applications are once again directed to approach the Registry and upload all the pleadings in these applications on the DMS before the next date of hearing, so that the matter be considered on the next date of hearing. List this application on **19.03.2024**.

CA/1211/2019:-

List this application for arguments on **19.03.2024**.

CA/1479/2019:-

No one is present on behalf of the Applicant at the time of hearing of the matter. It is noticed that no one had appeared on the last date of hearing i.e. on 08.12.2023. In view of this, this application is **dismissed for want of prosecution**.

Appeal/46/2021:-

Ld. Counsel on behalf of the Applicant is present and submitted that the Arguing counsel is not available today. She further submitted that in terms of order dated 08.12.2023, they have given the copy of the Appeal Memo to the Liquidator. Ld. Counsel on behalf of the Liquidator is present and sought time to file reply. Time period is granted. List this application on **19.03.2024**.

IA/3807/2022, Appeal/27/2022:-

Wrongly listed.

IA/3454/2023:-

Ld. Counsel on behalf of the Liquidator is present and submitted that they have received the reply filed by the State Bank of India i.e. R-1 and wants to seek time to seek instructions. Ld. Counsel on behalf of the R-1 is present and submitted that they have filed their reply. However, the same is not reflected on the e-portal of the Tribunal. Ld. Counsel may approach the Registry and cure the defects, if any, so that their reply is reflected on the e-portal of the Tribunal. Proxy Counsel on behalf of the R-3 is present and sought time to file reply. Time prayed for is granted. No one is present on behalf of the other Respondent. List the matter on **19.03.2024**.

S/d-
(Dr. SANJEEV RANJAN)
MEMBER (T)

S/d-
(MAHENDRA KHANDELWAL)
MEMBER (J)