

It is seen that in all, there are two Respondents in this I.A.

The present application has not been found to be duly served upon the Respondents. Therefore, this Tribunal directs issue of Notice to the Respondents and the Respondents to file their response within three weeks.

The Court Officer may also issue e-Notice to the respondents. Thereafter, the Resolution Professional shall file his response, if any, within a week.

Post the matter to 29.11.2021.

IA-3895/2021 :

This Application is filed under Section 43 of the Insolvency & Bankruptcy Code, 2016 seeking avoidance of the preferential transactions wherein the Car of the Corporate Debtor was given to the respondent in lieu of his salary.

Counsel for the Respondent has appeared and submitted that he has received a copy of the petition only yesterday (19.10.2021) and seeks time to file his reply on behalf of the respondents.

Two weeks time is granted for this purpose to the respondents to file its response and one week's time is granted thereafter to the Resolution Professional to file his Rejoinder, if any.

List on 29.11.2021.

IA-3896/2021 :

This Application is filed under Section 60 (5) of the Insolvency & Bankruptcy Code, 2016 read with Rule 11 of the NCLT Rules, 2016 for seeking the Forensic report from the Respondent CA Firm appointed as the Forensic Auditor in the matter.

Counsel for the Resolution Professional has drawn the attention of this Tribunal to the fact that the present I.A. has been served upon the respondents and proof of service has been attached along with the present Application. However, no one is present on behalf of the respondent.

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Let Notice be issued to the respondents to file their response within three weeks with an advance copy to the petitioner. Thereafter, one week's time is granted to the petitioner to file rejoinder, if any.

The Court Officer may also be sent e-Notice to the parties concerned.

Let the matter be posted for hearing on 29.11.2021.

IA-3899/2021 :

Counsel for the Resolution Professional is present. Counsel for the respondent is also present. Counsel for the respondent has submitted that a copy of the Petition/I.A. has been received only yesterday (19.10.2021) and seeks time to file response thereof and prayed for 3 weeks time. The time prayed for is granted and he may serve a copy of the reply to the Counsel for the Resolution Professional for filing rejoinder, if any.

List the matter to 29.11.2021.

IA-1994/2021 :

Counsel for the Applicant seeks a week's time to file rejoinder to the reply filed by the Resolution Professional. The time prayed for is granted.

List the matter to 23.11.2021.

IA-1933/2021 :

In response to this Application, Counsel for the Resolution Professional submitted that claim of the petitioner in this I.A. has already been considered and collated properly as per the Law.

Therefore, prayer made in this I.A. has been complied with /allowed.

Counsel for the petitioner accepts the submissions made by the Counsel for the Resolution Professional.

In view of this, the present I.A. No.1933/2021 stands **disposed of**.

IA-1934/2021 :

Heard the submissions made by the Counsel for the Resolution Professional. He states that he has not received a copy of the I.A. to enable him

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to file his response. To this, Counsel for the Applicant submits that she is willing to provide a copy of the same to the Counsel for the R.P. today itself.

Let a copy of the this I.A. be provided to the Counsel for the R.P. and thereafter, Counsel for the R.P. shall file his response to this IA within 15 days from today with an advance copy to be supplied to the Counsel for the Applicant Company.

The Counsel for the applicant is at liberty to file rejoinder, if any.

List the matter to 23.11.2021.

IA-2230/2021 :

We have heard the submissions made by the Counsel for the Resolution Professional and the respondents at length.

The Order in this matter is **reserved**.

Counsels for both sides are directed to file the written submissions not exceeding two pages along with the Case Law, if any, within a week and make a mention that

List on 23.11.2021.

IA-3379/2021 :

This Application is filed by the erstwhile I.R.P. seeking directions from this Tribunal to the Corporate Debtor for early release of the IRP's Fees and other expenses incurred by him during his tenure in relation to the CIRP of the Corporate Debtor.

In this connection, Counsel for the Resolution Professional is directed to file the Statement relating to the funds available with the COC/with him before this Tribunal by the next date of hearing so as to consider for making the appropriate orders in relation to the on account to the erstwhile I.R.P.

In the meantime, the erstwhile I.R.P. shall provide all the relevant details and Vouchers/evidences in support to other expenses/legal expenses incurred by the IRP during his tenure to the present Resolution Professional so that the same

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can be considered by the COC in a proper manner and take appropriate decision.

Let this Application be listed for further consideration on **23.11.2021**.

In the meanwhile, the Resolution Professional shall file a compliance report for these directions.

IA-3301/2021 :

This IA is filed on behalf of the Resolution Applicant for the release of Bank Guarantee in view of the directions for substantial modification in the Information Memorandum by this Tribunal along with an affidavit in support.

It is submitted by the Resolution Professional that an appeal against the order of this Tribunal in IA-1606/2021 has been preferred before the NCLAT and the outcome of the said appeal is awaited.

He further submits that the outcome of the same may have the bearing on the status of prayers made by the Applicant in the present I.A. and, therefore, this may be kept in abeyance for the time being. On a query posed by this Tribunal, it is clarified by the R.P's Counsel that the said appeal is listed for hearing on 11.11.2021 before the NCLAT.

In view of the above, the present IA No.3301/2021 is listed for further hearing on 23.11.2021.



(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)



(NARENDER KUMAR BHOLA)
MEMBER (TECHNICAL)

Surjit (Court-III)

20.10.2021

IB-1348/ND/2019