

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 213
TA (IBC)- 50(PB)/2022

IN THE MATTER OF:

Motijug Agencies Limited Through
Pallavi Jhawar
v.
Indian Bank

.... Petitioner

.... Respondent

Order Under Rule 16(d) NCLT, 2016

Order delivered on 28.02.2023

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

PRESENT:

For the Petitioner : Joy Saha, Sr Adv, Subhankar Nag, Avishek
Guha Adv, Soumya Dutta, Adv, Arunika
Dutta Adv, Siddhant Upmanyu, Adv.
For the Respondent :

ORDER

Mr. Soumya Dutta, Ld. Counsel for the Petitioner appeared through VC and fairly states that only 5 pages' petition should have been filed for simple transfer whereas the petition itself runs to 30 pages and annexures of documents all put together runs to 160 pages which is totally unnecessary and uncalled for. The Tribunal has no other option except to condemn the wastage of papers in a simple transfer petition which is filed for convenience of adjudication.

Prudence requires that the Counsel who approved it and the Counsel who filed it should not waste paper which is not required as in the present case. Effectively, the reason for transfer is mentioned in few paragraphs at page 27 & 28. These are the cases pending against the Guarantors. That is what is necessary for this transfer petition.

The petition 30 pages in length is a bit confusing. The details of CP (IB)-480/2020 is not given. Further the details of CP (IB)-2000/KB/2022 at

para 36 is not clear. There is one more CP (IB)-91/KB/2022 and CP (IB)-200/KB/2022, as to whether it is filed under Section 7 or under any other Section of IBC needs to be clarified and a detailed chart needs to be given in respect of all pending cases with correct cause title. List the matter again on 24.03.2023 for physical hearing.

-Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT