

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/378(KB)2018
IA(I.B.C)/317(KB)2021, IA(I.B.C)/615(KB)2023,
IA(I.B.C)/1067(KB)2020, IA(I.B.C)/1291(KB)2023,
IA(I.B.C)/693(KB)2022, CONT.A. (IBC)/11(KB)2022,
IA(I.B.C)/306(KB)2023, IA(I.B.C)/1119(KB)2020

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 04TH SEPTEMBER, 2023, 03:00 P.M

IN THE MATTER OF	DEVI TRADING & HOLDING PVT. LTD. VS AVANI PROJECT & INFRASTRUCTURE LTD.
UNDER SECTION	IBC UNDER SEC 7

Appearance (via video conferencing/physically)

Mr. Emon Bhattacharya, Adv. .. For R-7

Ms. Pooja Saha, Adv.

Mr. Mainak Bose, Adv. ... For Anupriya Management Pvt. Ltd.

Ms. Kalpita Paul, Adv.

Mr. Mainak Bose, Adv. ... For Contemnor Nos. 1 and 2

Mr. Anirban Ghosh, Adv.

Mr. Aniruddha Mitra, Adv. ... For Suspended board of CD

Mr. D. Sengupta, Adv.

Mr. Abhijit nayak, Adv.

Mr. Sankarsan Sarkar, Adv. ... For R-10 to R-17 in CONT.A. (IBC)/11(KB)2022

Mr. Aditya Kanodia, Adv.

Mr. Ajay Kumar Agarwal, Adv. ... For RP

Mr. Rishav Choudhury, Adv. ... For Applicant in IA(I.B.C)/1119(KB)2020 and

Mr. Soumadeep Banerjee, Adv. IA(I.B.C)/317(KB)2021

Mr. S.K. Singhi, Adv.

Mr. R. Basu, Adv.

Mr. Sayan Banerjee, Adv.

Mr. Rishav Choudhury, Adv. ... For Respondents in IA(I.B.C)/693(KB)2022

Mr. Soumadeep Banerjee, Adv.

Mr. S.K. Singhi, Adv.

Mr. R. Basu, Adv.

Mr. Sayan Banerjee, Adv.

Mr. Rishav Choudhury, Adv. ... For Intervener in IA(I.B.C)/1067(KB)2020

Mr. Soumadeep Banerjee, Adv.

Mr. S.K. Singhi, Adv.

Mr. R. Basu, Adv.

Mr. Sayan Banerjee, Adv.

Mr. Jishnu Choudhury, Adv. ... For Applicant in IA(I.B.C)/1291(KB)2023

Mrs. Ujjaini Chatterjee, Adv.

Mr. Sidharta Basu, Adv.

ORDER

1. Ld. Counsel for the parties present.

2. CONT.A. (IBC)/11(KB)2022, IA(I.B.C)/317(KB)2021, IA(I.B.C)/1291(KB)2023, IA(I.B.C)/693(KB)2022 & IA(I.B.C)/1119(KB)2020:

- a. This is an application alleging disobedience of the order dated 13th June, 2022 passed by this Tribunal, by the company engaged for general security and maintenance and upkeep of the shops at Avani Mall. Ld. Counsel Mr. Mainak Bose vociferously opposes the stand of the RP that his client should be roped in, when individual shop owners are present through their representative Counsel.
- b. RP is directed to visit the shops in regard to the Respondent Nos. 10 to 17 and get the details whereafter, RP shall decide their status.
- c. It is stated that the 25 shop owners have already submitted their documents. Hence, RP shall also consider these documents to ascertain whether these shops are a part of assets of the Corporate Debtor.
- d. Regarding rest of the shop owners and alleged contemnors, the RP shall approach the Registrar of Assurances and get the details of the ownership within a period of two weeks.
- e. With the above directions, notice if any issued to the contemnors stand discharged. In the event of any further violation, the RP will be at liberty to file fresh petition.
- f. With the above directions, **CONT.A. (IBC)/11(KB)2022 is disposed of.**
- g. List all other IAs on **12.09.2023.**

Balraj Joshi
Member (Technical)

Bidisha Banerjee
Member (Judicial)