

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/440(KB)2018  
IA(I.B.C)/145(KB)2024, IA(I.B.C)/891(KB)2021,  
IA(I.B.C)/531(KB)2022, IA(I.B.C)/742(KB)2022,  
IA(I.B.C)/796(KB)2022, IA(I.B.C)/1296(KB)2020,  
IA(I.B.C)/391(KB)2020, IA(I.B.C)/852(KB)2020,  
IA(I.B.C)/307(KB)2022

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

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 08<sup>TH</sup> FEBRUARY 2024, 10:30 A.M**

IN THE MATTER OF	HUVEPHARMA SEA [ PUNE] PRIVATE LIMITED VS AMRIT FEEDS LIMITED
UNDER SECTION	IBC UNDER SEC 9

**Appearance (via video conferencing/physically)**

Mr. Shaunak Mitra, Adv. ] For the Petitioner in IA(I.B.C)/891(KB)2021  
Mr. Tanoy Verma, Adv. ]  
  
Mr. K. Thaker, Adv. ] For the Liquidator  
Mrs. Sreenita Thaker, Adv. ]  
Miss Sneha Singhania, Adv. ]  
  
Ms. Manju Bhutteria, Adv. ] For the Auction Purchaser, Auura Agrotech Pvt. Ltd.  
Ms. Rajshree Kajaria, Adv. ]  
Mr. Uttam Sharma, Adv. ]

**ORDER**

1. Ld. Counsel for the parties present.

**IA(I.B.C)/891(KB)2021**

- Ld. Counsel Mr. Shaunak Mitra appearing for Assam Industrial Infrastructure Development Corporation (AIIDC) submits that the outstanding claim is to the tune of Rs.10,30,709/-.
- Ld. Counsel Ms. Manju Bhutteria appearing for the Auction Purchaser submits that the amount is payable by the Liquidator since the Auction Purchaser has not been able

to get possession of the property till date. At the end of hearing, Ld. Counsel for the Auction Purchaser agreed to pay the entire sum of Rs.10,30,709/- to AIIDC simultaneously along with the documentation preferably within a period of six weeks, as agreed by both the parties.

4. Ld. Counsel Mr. Shaunak Mitra appearing for AIIDC submits that AIIDC has no objection with Auura Agrotech Pvt. Ltd. stepping into the shoes of M/s Amrit Feeds Ltd. provided:
  1. AIIDC receives the outstanding rent which had to be paid by M/s Amrit Feeds Limited.
  2. The new allottee will be allotted the land at IIDC, Rangia, Kamrup for the remaining lease period of M/s Amrit Feeds Ltd. and will be bounded by all the clauses of the Lease Deed Agreement.
5. The successful Auction Purchaser (Auura Agrotech Private Limited) has agreed to make payment of a sum of Rs.10,30,709/- in tune with the Chart of outstanding rents amounting to Rs.10,30,709/- handed over by Assam Industrial Infrastructure Development Corporation.
6. In view of the order already passed on 15.01.2024 in I.A.(IB) 556/KB/2022 and I.A.(I.B.C) No.369/KB/2022, the application being IA(I.B.C)/891(KB)2021 is disposed of without entering into the merits of the matter, with the following directions as agreed upon by the parties:
  - a) Assam Industrial Infrastructure Development Corporation shall as agreed to by it, execute necessary documents in favour of Auura Agrotech Private Limited (Auction Purchaser) in respect of the said property within a period of six weeks from date.
  - b) Simultaneous to the execution of necessary documents in favour of Auura Agrotech Private Limited (Auction Purchaser) by Assam Industrial Infrastructure Development Corporation, Auura Agrotech Private Limited (Auction Purchaser) will make payment of a sum of Rs.10,30,709/- to Assam Industrial Infrastructure Development Corporation as it has already agreed to.
  - c) The sale of the said property at Mouza Rangia, District Kamrup, Assam is confirmed in favour of Auura Agrotech Private Limited (Auction Purchaser) in respect of which entire sale consideration of Rs.205.50 lacs has already been paid by Auura Agrotech Private Limited (Auction Purchaser).

- d) As pursuant to the order dated 17<sup>th</sup> June 2022 passed in I.A. (IBC) No.369/KB of 2022 a sum of Rs.1,85,38,000/- was deposited by Auura Agrotech Private Limited (Auction Purchaser) with this Tribunal. The Deputy Registrar is directed to encash the fixed deposit lying with him and handover the entire proceeds to the Liquidator.
- e) The Liquidator is directed to issue the sale certificate to Auura Agrotech Private Limited (Auction Purchaser) and to file a copy of the sale certificate with the concerned Registration Authority in accordance with Section 89 (2) and (4) of the Registration Act, 1908.
- f) Possession letter shall be issued by the Liquidator immediately upon execution of documents in favour of Auura Agrotech Private Limited (Auction Purchaser) by Assam Industrial Infrastructure Development Corporation.
- g) Physical possession of the said property be handed over by the Liquidator to Auura Agrotech Private Limited (Auction Purchaser) immediately.
- h) The Liquidator and the concerned Registering Authorities and all other parties including Assam Industrial Infrastructure Development Corporation to act in terms of the order to be passed herein.

**D. Arvind**  
**Member (Technical)**

**Bidisha Banerjee**  
**Member (Judicial)**