

DIVISION BENCH
COURT - II

O-203

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/1614(KB)2019
IA(I.B.C)/171(KB)2022, IA(I.B.C)/1468(KB)2022,
IA(I.B.C)/1408(KB)2022, IA(I.B.C)/803(KB)2022,
IA(I.B.C)/442(KB)2022

**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 08TH DECEMBER, 2022, 02:00 P.M

IN THE MATTER OF	PRISM JOHNSON LIMITED VS RNM INFRA PRIVATE LIMITED
UNDER SECTION	IBC UNDER SEC 9

Counsel/ Authorised Representative appeared through physically/Video Conference:

Mr.Ritoban Sarkar Adv.] For the Applicant
Mr.Shubhanguni Singh,Adv.]
Mr.A.K.Singh,Adv.]

Mr.Bhaskar Prasad Banerjee,Adv.] For Howrah GST Authority
Mr.AbhradipMaity, Adv.]

Mr.Kanakabha Ray, Adv.] For RP

ORDER

1. Ld. Counsel for the parties present.
2. **IA(IBC)/1408/KB/2022-** is an application filed by the applicant seeking direction to the RP for acceptance of claim of the applicant by condonation of delay of 132 days.
3. Ld. RP present in the Court submits that an application for liquidation has been filed by the Liquidator bearing IA No. 442/2022, the matter is listed on 26th December, 2022, which was reserved for orders. However, order was not pronounced for want of clarification from the RP as per order dated 17th November, 2022. Liquidator present

in court, he submits that clarification has not been filed, which has been done within two days.

4. The applicant herein is directed to lodge his claim with the Liquidator as soon as the liquidation order is pronounced, the liquidator shall consider the claim on its own merit.
5. In view of the above, **IA 1408/KB/2022** is dismissed as withdrawn. RP is hereby directed to file affidavit within two days.
6. **IA(IBC)1468/KB/2022-** Registry is directed to issue 'Notice' to the Respondent by Speed Post and Email and Tracking information shall be placed on record. List this matter on **19/12/2022**.
7. **IA(IBC)171/KB/2022-** is an application filed by the RP against the suspended Board of Directors under section 19(2) of the IBC, 2016. The requisite information required by the RP has not been provided by the suspended Board of Directors. Considering the fact let a Notice go to the suspended board of Director to be present in the court on **26/12/2022**.
8. **IA(IBC)803/KB/2022-** Registry is directed to issue 'Notice' to the Federal Bank, Howrah Branch- Respondent No.2 for appearance in this court and submitting reply affidavit within two weeks. List this matter on **26/12/2022**.

Balraj Joshi
Member (Technical)

Bidisha Banerjee
Member (Judicial)