

DIVISION BENCH
COURT - II

O-201

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/176(KB)2018
IA(I.B.C)/1623(KB)2023, IA(I.B.C)/1617(KB)2023,
IA(I.B.C)/738(KB)2021, IA(I.B.C)/604(KB)2022,
IA(I.B.C)/1618(KB)2023, IA(I.B.C)/885(KB)2022,
IA(I.B.C)/845(KB)2021, IA(I.B.C)/723(KB)2023,
IA(I.B.C)/712(KB)2023, IA(I.B.C)/1061(KB)2021,
IA(I.B.C)/574(KB)2021

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

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 08TH NOVEMBER, 2023, 10:30 A.M

IN THE MATTER OF	STATE BANK OF INDIA VS IMPEX METAL & FERRO ALLOYS LIMITED
UNDER SECTION	IBC UNDER SEC 7

Appearance (via video conferencing/physically)

Mr. Devajyoti Berman, Adv.] For the respondent in
Ms. Sanjukta Basu Mallick, Adv.] IA(I.B.C)/604(KB)2022 and IA(I.B.C)/1618(KB)2023

Mr. Rishav Banerjee, Adv.] For Liquidator
Mr. Rahul Auddy, Adv.]
Mr. Aditya Gooptu, Adv.]
Mr. Samir Kr. Bhattacharyya,] Liq.-in-person

Mr. Sidhartha Sharma, Adv.] For EPDCAPL in IA(I.B.C)/712(KB)2023
Mr. Rishav Dutt, Adv.] and IA(I.B.C)/723(KB)2023
Ms. S. Basu, Adv.]

Mr. Shounak Mukhopadhyay, Adv.] For the applicant in IA(I.B.C)/604(KB)2022,
Mr. Supriyo Gole, Adv.] IA(I.B.C)/1617(KB)2023 and
Ms. Madhuja Barman, Adv.] IA(I.B.C)/1618(KB)2023

Ms. Tanvi Luhariwala, Adv.] For the applicant in IA(I.B.C)/712(KB)2023
Mr. Supriyo Gole, Adv.] and IA(I.B.C)/723(KB)2023
Ms. Madhuja Barman, Adv.]

Mr. Rohit Kr. Keshri, Adv.] For the respondent in IA(I.B.C)/1617(KB)2023
Mr. Nitish Kr. Singh, Adv.] and in IA(I.B.C)/885(KB)2022

Ms. Manju Bhuteria, Adv.] For the erstwhile RP
Ms. Srishti Agrawaal, Adv.] For TUF METALLAURGICAL
Mr. Vaibhav Mahajan, Adv.] in IA(I.B.C)/574(KB)2021

Ms. Srishti Agrawaal, Adv.] For TUF METALLAURGICAL

Ar.

Mr. Vaibhav Mahajan, Adv.] in IA(I.B.C)/738(KB)2021

Ms. Deblina Lahiri, Adv.] For SBI in IA(I.B.C)/845(KB)2021

Mr. Mrinmoy Chatterjee, Adv.]

ORDER

1. Ld. Counsel for the parties present.
2. **IA(I.B.C)/604(KB)2022** – Since, in regard to the pre CIRP dues separate application has been preferred. Plan being shut-down, in the meantime. IA(I.B.C)/604(KB)2022 is dismissed as infructuous.
3. **IA(I.B.C)/1618(KB)2023** –
 - a. Let a copy of the application be served upon the Zonal Manager, Andhra Pradesh Industrial Infrastructure Corporation Limited being represented by Ld. Counsel to Mr. Devajyoti Berman. Reply to the same be filed within a period of two weeks. Rejoinder, if any, be filed one week thereafter.
 - b. List this matter on **14.12.2023**.
4. **IA(I.B.C)/885(KB)2022** – Pleadings are complete. Written notes of arguments be filed by Friday, i.e., on 10.11.2023. Heard, **reserved for order**.
5. **IA(I.B.C)/1617(KB)2023** – Reply be filed within a period of two weeks. Rejoinder, if any, be filed one week thereafter. List this matter on **14.12.2023**.
6. **IA(I.B.C)/574(KB)2021** – Written notes of arguments be filed by 16.11.2023. Heard, **reserved for order**.
7. **IA(I.B.C)/738(KB)2021** – Written notes of arguments be filed by 16.11.2023. Heard, **reserved for order**.
8. **IA(I.B.C)/1061(KB)2021** – In view of the order dated 31.08.2023 since none appears on behalf of the applicant. Accordingly, this matter is dismissed for non-prosecution.
9. **IA(I.B.C)/723(KB)2023** – Last chance is given to file reply affidavit within one week. The charges amounting to Rs. 3 crores have been released. List this matter on **14.12.2023**.
10. **IA(I.B.C)/712(KB)2023** – Pleadings are complete. List this matter on **14.12.2023**.
11. **IA(I.B.C)/1623(KB)2023** –
 - a. This is an application filed by the Liquidator under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 read with Regulation 44(2) of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations,

2016 seeking extension for further period of six months from 30th September, 2023 for completion of Liquidation Process of the Corporate Debtor.

- b.** It is mentioned that Liquidation order was passed by this Tribunal on 12th February, 2019.
- c.** It is submitted that the Liquidator has tried his best to complete the process but due to pending litigations concerning the liquidation process, the applicant has prayed for an extension of liquidation period for six months.
- d.** Ld. Counsel for the Liquidator placed the reasons for seeking the extension of liquidation as mentioned in Paragraphs 7 to 10 at Page 11 of the petition.
- e.** It is noted that the liquidation commenced on 12th February, 2019 and substantial time has already elapsed, which is beyond the stipulated period. However, considering the circumstances brought out above and also to ensure an appropriate culmination of the liquidation process, we hereby grant an extension of three months and direct the liquidator to complete the liquidation process expeditiously.
- f.** With these directions, this **IA(I.B.C)/1623(KB)2023** is **allowed** and **disposed of**.

12. **IA(I.B.C)/845(KB)2021** – Since none appears on behalf of the applicant. Accordingly, this matter is dismissed for non-prosecution.

Arvind Devanathan
Member (Technical)

Bidisha Banerjee
Member (Judicial)