

DIVISION BENCH
COURT - II

P-117

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/2050(KB)2019
IA(I.B.C)/1693(KB)2023, IA(I.B.C)/441(KB)2021,
IA(I.B.C)/401(KB)2021, IA(I.B.C)/629(KB)2024,
IA(I.B.C)/646(KB)2024

**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 10TH APRIL 2024

IN THE MATTER OF	MODTECH TRADECOM PRIVATE LIMITED VS BASU & CO. ROAD CONTRACTORS PRIVATE LIMITED
UNDER SECTION	IBC UNDER SEC 9

Appearance (via video conferencing/physically)

Mr. Kumarjit Banerjee, Adv.] For the Applicant in IA(I.B.C)/646(KB)2024
Ms. S. Chakraborty, Adv.]
Mr. Adil Naushad, Adv.]

Mr. Jishnu Choudhary, Adv.] For the HDFC Bank Ltd.
Ms. Urmila Chakraborty, Adv.]
Mr. Anunoy Basu, Adv.]

Mr. Sajan Kr. Singh, Adv.] For the SRA
Mr. Saurav Jain, Adv.]

ORDER

1. Ld. Counsel appearing on behalf of the parties present.

2. **IA(I.B.C)/646(KB)2024:**

a. This IA has been filed by Applicant under rule 11 of the National Company Law Tribunal Rules, 2016 ("NCLT Rules") seeking for following reliefs: -

i. *Direction be passed by this Hon'ble Adjudicating Authority for rectification of its orders dated January 25, 2024 and March 1, 2024 passed in I.A.(IBC)1693/KB/2023, to the extent that the SRA be addressed as Respondent No. 2 instead of Respondent No. 3;*

Ar.

- ii. *Such further or other order or orders as to this Hon'ble Tribunal may deem fit and proper;*
 - iii. *Interim order in terms of prayer (a) & (b)*
 - iv. *Ad interim orders in term of prayer (a) & (b)*
- b.** In **para no. 2(a)** of **Orders dated 25.01.2024 & 01.03.2024**, inadvertently written as **“Respondent No. 3”** and the same will be replaced by **“Respondent No. 2”**.
- c.** Accordingly, this **IA(I.B.C)/646(KB)2024** is **allowed** and **disposed of** to the extent mentioned above.
- 3. IA(I.B.C)/629(KB)2024:**
- a.** Since, he has not indicated any specific time by which the payment would be done, we are direct to make the entire payments within a period of two weeks from this date, **failing which appropriate Orders would be passed** on the next date of hearing.
 - b.** List the matter for further consideration on **02.05.2024**.
- 4.** List the rest of the IAs' for further consideration on **02.05.2024**.

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)