

DIVISION BENCH  
COURT - II

**O-201**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/306(KB)2019  
IA(I.B.C)/486(KB)2024, IA(I.B.C)/1629(KB)2023,  
IA(I.B.C)/2027(KB)2023, IA(I.B.C)/1601(KB)2023,  
IA(I.B.C)/682(KB)2023, IA(I.B.C)/1106(KB)2023,  
IA(I.B.C)/253(KB)2023, IVN.P (IBC)/3(KB)2023,  
IA(I.B.C)/1043(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 24<sup>TH</sup> MAY 2024**

IN THE MATTER OF	UCO BANK VS KUMLAI TEA AND INDUSTRIES LIMITED
UNDER SECTION	IBC UNDER SEC 7

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

Ms. Rashmi Singhee, Adv. ] For Applicant In IA(I.B.C)/682(KB)2023  
Ms. S. Shaw, Adv.

Mr. Pranay Agarwal, Adv. ] For Applicant in IA(I.B.C)/2027(KB)2023  
Ms. Ankita Baid, Adv.  
Ms. Sweta Majumder, Adv.

Mr. Shaunak Mitra, Adv. ] For Resolution Professional  
Mr. Amandeep Singh, Adv.  
Ms. Zeenat Shabab, Adv.  
Mr. S. Agarwal, Adv.  
Mr. S. K. Bhattacharjee, RP in person

Mr. Avishek Guah, Adv. ] For the Staff of West Bengal  
Ms. Arunika Dutta, Adv.  
Mr. Kaustov De Sarkar, Adv.

Mr. Rahul Auddy, Adv. ] For UCO Bank  
Mr. Aditya Gooptu, Adv.

Mr. Debasis Lahiri, Adv. ] for IA 253 of 2023

**ORDER**

1. Ld. Counsel for the parties present.

**2. IA(I.B.C)/2027(KB)2023:**

- a. Ld. Counsel for the Applicant submits that certain clarifications are required to be given by the RP in this matter particularly Provident Fund dues, regarding possession of the subject tea gardens and the Applicant also wishes for an inspection of the said tea gardens and the same shall be communicated with the

RP which have not been provided. The Applicant will communicate the same by tomorrow and the RP will reply to the same by 7 (seven) days thereafter.

b. List this matter **on 12.07.2024.**

**3. IA(I.B.C)/1601(KB)2023:**

a. Registry is directed to issue notice to the M/s. Silicon Tea Company by way of speed of post and by way of email and place tracking information on record.

b. List this matter **on 12.07.2024.**

**4. IA(I.B.C)/682(KB)2023:**

a. Ld. Counsel for the Applicant seeks condonation of delay for submission of its plan to the RP. Let the plan be submitted with the RP and if required fresh form 'G' be published by the Committee of Creditors (CoC) for the purpose of providing a level playing field to all the Prospective Resolution Applicants (PRAs).

b. Ld. Counsel appearing for the Terai Tea Co. Ltd. vehemently opposed the proposal and the same is taken note of.

c. With the above directions, **this application is disposed of.**

**5. IA(I.B.C)/486(KB)2024:**

a. This is an application for exclusion of 8 (eight) months after excluding 60 (sixty) days from May, 2023 from the CIRP period. In view of the pendency of the matter before the Hon'ble NCLAT, and the reasons stated in the application, we grant of exclusion of 8 (eight) months after excluding 60 (sixty) days from May, 2023 from the CIRP period.

b. The Resolution Professional is directed to complete the whole process positively within the extended time period.

c. With the above directions, this **IA(I.B.C)/486(KB)2024 is allowed and disposed of** accordingly.

**6. IA(I.B.C)/1106(KB)2023:**

a. In view of the exclusion granted in **IA(I.B.C)/486(KB)2024**, this application has become infructuous and therefore, this **IA(I.B.C)/1106(KB)2023 is dismissed as infructuous.**

**7. IA(I.B.C)/1043(KB)2024:**

a. This is an application for exclusion 180 days from 20.03.2024. it is stated that exclusion application has been heard on May 01, 2024 and the same was finally granted and the CIRP time period was expired on 20.03.2024. Therefore, this application has been filed for exclusion of 180 days from March 20, 2024.

- b. We have heard the Ld. Counsel for the applicant and being satisfied with the reasons stated in the application, we exclude the 180 days from March 20, 2024 and accordingly this application is allowed and disposed of.
8. List all other IAs also on **12.07.2024**.

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

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