

DIVISION BENCH

O-212

COURT - I

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

TP/5(KB)2023  
IA(COMPANIES.ACT)/51(KB)2024, IA(COMPANIES.ACT)/52(KB)2024,  
IVN.P/7(KB)2023, IA(COMPANIES.ACT)/46(KB)2024,  
IA(COMPANIES.ACT)/98(KB)2023, COMP.APPL/13(KB)2023,  
IA(COMPANIES.ACT)/89(KB)2024

**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 17<sup>TH</sup> MAY 2024**

IN THE MATTER OF	<b>SUKAMAL BISWAS VS SHREE SANYEEJI STEEL &amp; POWER LIMITED</b>
UNDER SECTION	<b>SEC 433(E)/433(F) OF CA 1956</b>

**Appearances via video conference/physically**

Mr. K.C.. Garg, Adv. ] For the Gopal Saraf  
Ms. Sunita Agarwal, Adv. ]  
  
Mr. Dripto Majumdar, Adv. ] For the Resolution Professional  
Mr. Chandan Mohata, Adv. ]  
Mr. Sanjay Kumar Gupta, RP ]  
  
Mr. Rohit Kr. Keshri, Adv. ] For the Suspended Board of Directors  
Mr. Ankit Chaurasia, Adv. ]

**ORDER**

1. Ld. Counsel for the parties present.

**2. IA(COMPANIES.ACT)/46(KB)2024**

- a. Registry is directed to issue notice to the Official Liquidator about compliance of the Order dated 05/04/2024, through speed post and by email and place the tracking information on record.
- b. Post this IA on **12/07/2024**.

**3. IA(COMPANIES.ACT)/51(KB)2024**

- a. This IA has been filed by the IRP for taking on record the 1<sup>st</sup> Inspection Report prepared by him which is at Page 9B onwards.
- b. This IA is accompanied by an Affidavit of IRP which is at Page N. 8.
- c. This Inspection Report is taken on record and this IA is accordingly **allowed** and **disposed of**.

**4. IA(COMPANIES.ACT)/52(KB)2024**

- a. RP was directed to take control and possession of the assets of the Corporate Debtor however the books of accounts are not available and official liquidator was also not cooperating in regard to the disclosure of the whereabouts of the other assets.
- b. This IA has been filed by the IRP for placing on record 2<sup>nd</sup> Periodical Report which is at Page No. 11 onwards.
- c. This IA is accompanied by an Affidavit of IRP which is at Page No. 7 to 8.
- d. This periodical report is taken on record and this IA is **allowed** and **disposed of**.

**5. IA(COMPANIES.ACT)/89(KB)2024**

- a. This IA has been preferred against the Board of Directors of the Corporate Debtor asking for cooperation in regard to the information regarding assets, books of accounts etc.
- b. Ld. Counsel Mr. Keshri appearing for the respondents submits that all the records pertaining to the company was handed over to the official liquidator way back in the year 2014. Therefore, we direct the official liquidator to appear through a Counsel on the next date of hearing and file a status report immediately.
- c. Ld. Counsel for the respondent to file Reply Affidavit to this IA.
- d. Post this IA on **12/07/2024**.

**6. IVN.P/7(KB)2023**

- a. By way of application No. IVN.P/7(KB)2023, the applicant has sought for intervention in IA 63 of 2023 which already stands disposed of by an order dated 28/02/2024 of this Tribunal.
- b. In view of this, IVN.P/7(KB)2023 is **dismissed as infructuous**.

**7. IA(COMPANIES.ACT)/98(KB)2023**

- a. Registry is directed to issue notice to the Respondent by way of speed post and e-mail and place the tracking information on record.

**8. COMP.APPL/13(KB)2023**

- a. It is submitted by the Ld. Counsel that this application is pending before the Hon'ble High Court at Calcutta.
- b. In view of this pending proceeding before the Hon'ble High Court at Calcutta, this IA is dismissed as infructuous.

**9. IA(COMPANIES.ACT)/89(KB)2024**

- a. Respondents to file their Reply Affidavit or other documents as have been asked by the RP and to cooperate with the RP.

**Balraj Joshi**  
**Member (Technical)**

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