

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/154(KB)2019
IA(I.B.C)/1846(KB)2023, IA(I.B.C)/621(KB)2024,
IA(I.B.C)/1778(KB)2023, IA(I.B.C)/1777(KB)2023,
IA(I.B.C)/561(KB)2023, IA(I.B.C)/981(KB)2022,
IA(I.B.C)/912(KB)2023

**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	BHUWALKA MERCANTILE LLP VS AELIS ENTERPRISE LEARNING AND IMPLEMENTATION SOLUTIONS PVT. LTD.
UNDER SECTION	IBC UNDER SEC 9

Appearance (via video conferencing/physically)

Mr. Rohit Kumar Keshri, Adv.] For the Applicant in IA(I.B.C)/912(KB)2023,
Mr. Raju Mukherjee, CS] IA(I.B.C)/1777(KB)2023 and IA(I.B.C)/1778(KB)2023
Mr. Ankit Chaurasia, Adv.]

Mr. Udit Agarwal, Adv.] For the Respondent No. 1 in IA(I.B.C)/981(KB)2022
] and IA(I.B.C)/561(KB)2023

Mr. Rahul Parasrampurua, Pr. CS] For the Resolution Professional
Ms. Saloni Agarwal, Adv.]

Mr. Riyanshu Agarwal, Adv.] For the Respondent No. 2 in IA(I.B.C)/981(KB)2022
] and IA(I.B.C)/561(KB)2023

ORDER

1. Ld. Counsel/Authorised Representative appearing on behalf of the parties present.

2. **IA(I.B.C)/621(KB)2024:**

- a. This application has been filed by the Resolution Professional to place on record the **Preliminary Report**, which is placed at page nos. **10 to 21** of the application. This application is supported by an **affidavit** which is placed at page nos. **68 to 70** of the application. The Preliminary Report is taken on record, and, accordingly this application is **disposed of**.

3. IA(I.B.C)/1778(KB)2023 and IA(I.B.C)/1846(KB)2023:

- a. Let the client of Mr. Rohit Kr. Keshri, they impleaded in the application numbered IA(I.B.C)/1846(KB)2023. He may also file a reply affidavit to the said petition. Let the same be done within a period of two weeks. Upon necessary corrections be made in the cause title.
- b. Ld. Counsel Mr. Rahul Parasrampurua, however, admits that he is in possession of the property at present and because of the dispute of the property between the parties, namely, Mr. Rohit Kr. Keshri and Ms. Tanvi Luhariwals' clients', he has not in the possession to hand over to any of the said applicants whether applicant in IA(I.B.C)/1778(KB)2023 and IA(I.B.C)/1846(KB)2023 etc. Therefore, Ld. Counsel indicates that the title in regard to the said property in question should be first made clear by way of a safeguard declaration whereafter he would be in possession to hand over the properties to the original owner.
- c. The RP shall require to retain the possession of the said premises and come back with suitable instructions before this Tribunal.
- d. List the matter for further consideration on **20.05.2024**.

4. IA(I.B.C)/561(KB)2023 and IA(I.B.C)/981(KB)2022:

- a. Ld. Counsel Mr. Udit Agarwal and Mr. Riyanshu Agarwal appearing on behalf of respondent nos. 1 and 2 submits that he would use a reply affidavit. Let the same be done within a period of two weeks.
- b. Ld. Counsel Mr. Riyanshu Agarwal for R-2 submits that he is carrying a cheque of Rs. 26,000 /- which is the claim against him by way of this application. Therefore, since he is ready and willing to hand over the cheque to the RP it is appropriate to delete her name from the array of respondent. Accordingly, his name is deleted from the array of respondents.
- c. In the event, the cheque is dishonoured the RP shall be at liberty to put him back in the array of respondents.
- d. List the matter for further consideration on **20.05.2024**.

5. List the main CP along with rest of the IAs' for further consideration on 20.05.2024.

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)