

DIVISION BENCH
COURT - II

O-207

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/100(KB)2019
IA(I.B.C)/2049(KB)2023, IA(I.B.C)/681(KB)2024,
IA(I.B.C)/111(KB)2024, IA(I.B.C)/431(KB)2024,
IA(I.B.C)/7(KB)2024, IA(I.B.C)/1974(KB)2023,
IA(I.B.C)/53(KB)2024, IA(I.B.C)/2106(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 25TH APRIL 2024

IN THE MATTER OF	LOMAT INTERNATIONAL NV VS WEARIT GLOBAL LIMITED
UNDER SECTION	IBC UNDER SEC 9

Appearance (via video conferencing/physically)

Mr. Sidhartha Sharma, Adv.] For the Applicant in IA(I.B.C)/2106(KB)2023
Mr. Arjun Asthana, Adv.]
Mr. Aman Kataruka, Adv.]

Mr. Kuldip Mallick, Adv.] For the Applicant in IA(I.B.C)/1974(KB)2023
Mr. Anil Chaudhury, Adv.]
Ms. Meenakshi Manot, Adv.]
Mr. Amandeep Singh, Adv.]

Mr. Dripto Majumder, Adv.] For Applicant in IA(I.B.C)/53(KB)2024
Mr. Sumit Biswas, Adv.] For R-3 in IA(I.B.C)/111(KB)2024
Ms. Rajashree Bhowmick, Adv.] For R-3 in IA(I.B.C)/431(KB)2024
Mr. Chandan Mohata, Adv.] For R-1 in IA(I.B.C)/2049(KB)2023

Ms. Vedika Sureka, Adv.] For the Respondent in IA(I.B.C)/681(KB)2024

Ms. Labony Ray, Adv.] For the R-1 in IA(I.B.C)/431(KB)2024

Mr. Shaunak Mitra, Adv.] For the Resolution Professional
Ms. Shreya Choudhury, Adv.]
Mr. Pranay Agarwal, Adv.]
Ms. Sweta Majumder, Adv.]
Mrs. Rachna Jhunjhunwala] RP-in-person

Mr. Mainak Bose, Adv.] For EPS Transformer in IA(I.B.C)/431(KB)2024
Ms. Ankita Upadhyay, Adv.]

O R D E R

1. Learned Counsel for the parties present.
2. **IA(I.B.C)/681(KB)2024**
 - a. Ld. Counsel for the Respondent is directed to obtain instruction and file a reply affidavit stating as to when the electricity connection will be restored of the company which is running as a going concern.
 - b. Let the reply be filed within two weeks failing which appropriate order would be passed towards restoration of electricity connection.
 - c. List the matter for consideration on **29.04.2024**.
3. **IA(I.B.C)/111(KB)2024**
 - a. Ld. Counsel appearing for the Respondent No.4, one of the promoters, wants to file a reply affidavit.
 - b. Let reply affidavit by Respondent No.4 be filed within two weeks.
 - c. By way of this application a direction is sought for by the Resolution Professional upon the Respondent No.1 to pay outstanding balance of **Rs.2,02,64,105/-** into the CIRP account of the Corporate Debtor which is yet to be paid and there is also an allegation that the respondents are not cooperating with the Resolution Professional in carrying out her statutory functions and goods have been removed from the corporate premises of the Corporate Debtor at Kasrawad without the authorisation of the Resolution Professional and to restrain any of the parties impleaded in the application as respondents to remove any of the goods belonging to the Corporate Debtor without the leave of this Tribunal.
 - d. Let the outstanding dues of **Rs.2,02,64,105/-** be cleared immediately and a report to that effect be furnished on the next date of hearing.
 - e. List the matter for consideration on **18.06.2024**.
4. **IA(I.B.C)/431(KB)2024**
 - a. The entire amount will be paid by the members of the CoC i.e. Indian Bank, Punjab National Bank and Bank of Baroda by 30.04.2024.
 - b. The Resolution Professional shall ensure that the estimated amount of **Rs.45.00 lakh** against the total amount of **Rs.66,37,500/-** is released at least within a period of **10 days** from this date taking the members of the

Committee of Creditors (CoC) into confidence so that they infuse money towards the CIRP costs.

- c. Let the balance amount be paid by **31.05.2024** and a report to that effect be filed by the next date of hearing i.e. **18.06.2024**.
- d. List the matter for consideration on **18.06.2024**.

5. IA(I.B.C)/7(KB)2024

- a. Registry is directed to issue notice to the Respondents by way of speed post and e-mail and place the tracking information on record, directing them to file a report in regard to the assistance they have rendered to the Resolution Professional in protecting the property of the Corporate Debtor from unauthorised and illegal interference and by restoring peace and law and order in its premises at Kasrawad (Madhya Pradesh).
- b. List the matter for consideration on **18.06.2024**.

6. IA(I.B.C)/1974(KB)2023

- a. We have heard both the parties to the disputes.
- b. We direct the Resolution Professional to furnish G.S.T. invoices or any other supporting documents to establish that this is indeed an operational debt.
- c. List the matter for consideration on **24.05.2024**.

7. IA(I.B.C)/2106(KB)2023

- a. Let a copy of the reply affidavit be served by upon the Applicant.
- b. Rejoinder, if any, may be filed within 7 days thereafter.
- c. List the matter for consideration on **18.06.2024**.

8. IA(I.B.C)/2049(KB)2023

- a. Let reply affidavit be filed within three days.
- b. List of 25 items has been handed over by the Ld. Counsel appearing for the Resolution Professional indicating the documents and information that are required to be provided by the Suspended Board of Directors. The same is being shared with the Ld. Counsel for the Suspended Board who assures that the information as well as the documents would be provided at the earliest tentatively within **three days**.

- c. The respondents shall also see that the vehicles mentioned at Sl.No.16 are handed over to the Resolution Professional immediately.
- d. Let copy of the reply be furnished to the Ld. Counsel for the Resolution Professional.
- e. List the matter for consideration on **18.06.2024**.

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)