

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/236(KB)2022

**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 08TH APRIL 2024

IN THE MATTER OF	UCO BANK VS ANKIT METAL & POWER LIMITED
UNDER SECTION	IBC UNDER SEC 7

Appearance (via video conferencing/physically)

Mr. Joy Saha, Sr. Adv.] For the Financial Creditor
Mr. Santosh Kumar Ray, Adv.]
Ms. R. Sanyal, Adv.]
Ms. Zeba Khan, Adv.]
Mr. Kumar Anurag Singh, Adv.] For Corporate Debtor
Mr. Zain A. Khan, Adv.]
Mr. Anish Ahlawat, Adv.]

ORDER

1. Learned Senior Counsel for the Financial Creditor present. Learned Counsel for the Corporate Debtor present.
2. In view of the submissions made by the Hon'ble National Company Law Appellate Tribunal, Principal Bench, New Delhi in Company Appeal (AT) (Insolvency) No. 6-7 of 2024 dated 12th March, 2024 as in paragraph 12 which is as under:

“12. While we appreciate the bonafide and genuine efforts made the Adjudicating Authority to satisfy itself of the validity and veracity of the admittedly unsigned financial statements by summoning the CA to place on record the signed financials, we cannot be unmindful of the fact that no notice was given to the Appellant to submit their pleadings and arguments on the financial statements and notes to accounts as furnished by the CA. There is force in the contentions of the Appellant that it was neither aware regarding what was filed before the

Adjudicating Authority by the CA nor was provided an opportunity to rebut and/or place reliance on the said balance sheet. The Appellant clarify did not get the chance to explain the notes of the said balance sheets which allegedly expressed caveats regarding debt.”

3. Registry is directed to furnish copy of the report and balance sheet prepared by the Chartered Accountant to the learned Counsel for the Corporate Debtor.
4. Learned Counsel appearing for the Corporate Debtor is directed to file reply affidavit within a period of one week after getting all the documents as stated above.
5. It is made clear that no further adjournment will be granted in this matter.
6. List this matter for arguments on **18th April, 2024**.

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)