

## NATIONAL COMPANY LAW TRIBUNAL

राष्ट्रीय कंपनी विधि अधिकरण

CUTTACK BENCH

कटक खंडपीठ

ORDER OF THE HEARING ON 3<sup>rd</sup> JUNE, 2024, 12:00 Noon.CP(IB) No. 51/CB/2021, IA (IB) No. 197/CB/2022,  
IA(IB) No. 272/CB/2022, IA(IB) No. 108/CB/2023**Coram: 1. Hon'ble Member (Judicial), Shri H.V. Subba Rao**  
**2. Hon'ble Member (Technical), Shri Kaushalendra Kumar Singh**

Name of the Company	Ganapati Allied Works Pvt. Ltd.
Under Section	10 IBC

**Hearing through: VC and Physical (Hybrid) Mode**For Petitioner (s) Ms. Akanksha Nehra, Adv.  
Ms. Prity Singh, Adv.For Respondent (s) Mr. Umesh Ch. Sahoo, Adv.  
Mr. Ashish Gupta**ORDER****IA (IB) No. 197/CB/2022:**

This application has been filed under Section 34 (3) & 35(1) (b) & (n) R/w 60(5) of IBC by the Liquidator for seeking direction against Suspended Management to cooperate and to provide the relevant records. We heard learned counsel Ms. Akanksha Nehra along with Prity Singh appearing for the Liquidator. We also heard Ld. Counsel Mr. Umesh Ch. Sahoo appearing for the Suspended Management and also heard Mr. Ashish Gupta, suspended promoter of the Company. Mr. Ashish Gupta, suspended promoter of the Company submits that during the period of Covid-19, his premises was taken into possession by the State Bank of India while he was put under custody in some other case; that the Bankers have taken away the various records as well as have sold the machineries existing in the factory's premises. Liquidator Counsel Ms. Akanksha Nehra, however, submits that as per the panchanama which was drawn by the bankers no such records or computers/machineries existing in the factory's premises was taken away as stated by the suspended promoter. In this context we require the concerned representatives of the SBI to appear on the next date to appraise the bench about facts and also to place relevant records, panchanama, whereby it can be verified as to whether the claim made by the suspended promoter is correct or not.

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Mr. Ashish Gupta is also directed to place on record, by an affidavit, onto the allegations he is making against the State Bank of India regarding taking away of the assets as well as the records from the premises.

Mr. Ashish Gupta is also directed to appear on the next date of hearing so that we can hear him as well as the representatives of State Bank of India together. With this direction, list the matter on 01.07.2024 for hearing.

**IA(IB) No. 108/CB/2023:**


This application has been filed under Section 43, 44 & 66 R/w 25 (2) (j) & 67 of IBC by the Liquidator. Ld. Counsel Ms. Akanksha Nehra appears for the applicant/Liquidator. Ld. Counsel Mr. Umesh Ch. Sahoo appearing for the respondent submits that in the DMS portal, respondent party has not been created by the applicant, for that reason he could not upload the reply on behalf of the respondent. Ld. Counsel for the liquidator undertakes to take steps to create the respondent party in the DMS Portal. List the matter on 01.07.2024.

**IA(IB) No. 272/CB/2022:**

This application has been filed under Section 60(5) of IBC for direction. Ld. Counsel Mr. Umesh Ch. Sahoo appears for the applicant. List the matter along with connected IAs on 01.07.2024.



**Kaushalendra Kumar Singh**  
**Member (Technical)**



**H.V. Subba Rao**  
**Member (Judicial)**