

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

Item No.205 – IA 507 of 2020
Item No.206 – IA 508 of 2020
Item No.207 – IA 635 of 2020
Item No.208 – IA 736 of 2020
Item No.209 – IA 240 of 2021

Item No. 210- IA 313 of 2021
Item No. 211- IA 314 of 2021
Item No. 212- IA 431 of 2021
Item No. 213- IA 586 of 2021
Item No. 214- IA 55 of 2022
Item No. 215- IA 281 of 2022

In
CP(IB) 586 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

Noble Resources International Pvt Ltd
V/s
Sona Alloys Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..10/01/2023

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)
Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant / RP : Mr. Saurabh Soparkar, Sr. Adv. a/w. Mr. Jaimin Dave, Adv.
For the Applicant : Mr. Mandeep Singh, Adv. for Ms. Dimple Thaker, Adv.
: Mr. Rakesh kumar, Adv. a/w. Ms. Priti Kashyap, Adv
: & Mr. Ankit Sharma, Adv.
: Mr. Jatin Kapadia, a/w. Mr. Navin Pahwa, Sr. Adv.
: Mr. Raju Kothari, Adv.
: Ms. Ankitha Shelke, Adv. for Mr. Karan Singhani, Adv.
For the Original Applicant : Mr. Nilesh Udernani, Adv.
For the RP : Mr. R. S. Sanjanwala, Sr. Adv. a/w. Mr. Shashvata Skhukla, Adv.
For the CoC : Mr. Yuvraj Thakore, Adv.
For MTC Business SRA : Mr. Krishnendu Dutta, Sr. Adv. & Mohd.Shahan Ulla, Adv.
For the Respondent / RP : Mr. Saurabh Soparkar, Sr. Adv. a/w. Mr. Jaimin Dave, Adv.
For Vedanta Ltd. : Mr. Gopal Jain, Sr. Adv. Mr. Diwakar Maheshwari, Adv. &
: Ms. Pratiksha Mishra, Adv. & Mr. Roiz Rafique, Adv.

ORDER

IA 314 of 2021

In compliance of the order dated 16.12.2022, an affidavit was filed by RP. Learned Sr. Counsel Mr. Soparkar states that they have filed a pen drive in a sealed cover with the Registry. At this stage, the Learned Sr. Counsel Mr. Jain objects to taking on record the said

affidavit on the grounds that the order dated 16.12.2022 is not complied in true spirit as the pen drive is not shared with the other side / objectors. He further objects that the affidavit states and describes points beyond the pleadings, which cannot be done at this stage. Learned Sr. Counsel Mr. Soparkar for RP states that the both the plans submitted by the Resolution Applicant were secured with password, and the same could not have been made available prior to their opening before the CoC meeting simultaneously, for deliberation on the plan. Hence, the question of prior having prior knowledge about the value or any information of the plan to the other Resolution Applicant does not arise.

On a specific query raised by the Bench, Learned Sr. Counsel Mr. Gopal Jain seeks time to take instructions as to whether the plan submitted by M/s. Vedanta was password protected or not.

Learned Sr. Counsel Mr. Datta states that the Plan submitted by the Successful Resolution Applicant M/s. MTC Business Pvt. Ltd. was password protected.

List for further consideration on 11.01.2023.

IA 240 of 2021

Application is filed by RHI India Pvt. Ltd against the RP. Learned Proxy Counsel Ms. Priti Kashyap states that the prayers sought in this application are satisfied and the application may be disposed of, but the advocate on record is not present today. Learned Counsel for RP states that they have filed an affidavit declaring that the directions passed by this Bench on 23.08.2022 for handing over all machinery lying on the premises of the corporate debtor to the applicant have been completed. Accordingly, the compliance affidavit has been filed on 16.12.2022 which records that on 15.12.2022 a letter is issued by the applicant recording that the grievances of the applicant have been addressed. Learned Counsel Ms. Priti Kashyap on instruction by Mr. Rakesh Kumar the advocate on record, states that no further assets are to be received from the corporate debtor as they could get possession of all the machinery and other assets which were lying on the premises of the corporate debtor.

Considering the submission made by both sides, we dispose of this application as satisfied.

IA 313 of 2021

List for hearing on 31.01.2023.

IA 586 of 2021

Learned Counsel for the applicant states that the applicant company has been ordered to undergo CIRP by the NCLT Chennai Bench vide order dated 18.10.2022, and Counsel is awaiting instructions from IRP / RP of the applicant company, Bhadreshwar Vidyut Pvt Ltd, for taking further steps in this application.

As a last chance, if the applicant does not appear on the next date of hearing, the application will be dismissed.

Issue Notice to RP Mr. Hitesh Goel to be served by the Learned Counsel for the respondent.

Let RP of Bhadreshwar Vidyut Pvt. Ltd remains present through video conferencing on the next date of hearing.

List on 31.01.2023.

IA 281 of 2022

Learned Counsel for the applicant undertakes to serve the copy of this application to the Learned Counsel for the RP, within three days, and let reply be filed within two weeks.

List on 31.01.2023.

IA 431 of 2021

List on 11.01.2023.

IA 55 of 2022

List on 31.01.2023.

IA 507 of 2020, IA 508 of 2020, IA 635 of 2020, IA 736 of 2020

List on 11.01.2023.

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

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**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**