

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

Item No.236 – IA/368(AHM)2022
Item No.237 – IA/496(AHM)2022
Item No.238 – IA/595(AHM)2022
Item No.239 – IA/901(AHM)2022
Item No.240 – IA/1017(AHM)2022
Item No.241 – IA/1018(AHM)2022
Item No.242 – IA/1019(AHM)2022
Item No.243 – IA/1020(AHM)2022
Item No.244 – IA/1043(AHM)2022
Item No.245 – IA/1044(AHM)2022
Item No.246 – IA/1045(AHM)2022
Item No.247 – IA/1046(AHM)2022
In
CP(IB) 53 of 2017

Proceedings under Section 7 IBC

IN THE MATTER OF:

ICICI Bank Ltd
V/s
ABG Shipyard Ltd

.....Applicant

.....Respondent

Order delivered on 14/09/2023

Coram:

Mrs. Chitra Hankare, Hon'ble Member(J)
Dr. Velamur G Venkata Chalapathy, Hon'ble Member(T)

PRESENT:

For the Applicant :Mr. Saurabh Soparkar, Ld. Sr. Adv. a. w. Mr. Monaal Davawala, Ld. Adv. (in IA/368(AHM)2022) for the Liquidator/R-1, Ms. Alisha Mehta, Ld. Adv., Mr. Navin Pahwa, Ld. Sr. Adv. a. w. Mr. Anshul Shah, Ld. Adv.
For the Respondent :Mr. Aditya Mehta, Ld. Adv. a. w. Mr. Yash Agarwal, Ld. Adv.
For the ICICI :Mr. Rashesh Sanjanwala, Ld. Adv. a.w. Mr. Yashraj Champawat, Ld. Adv.

ORDER

IA/368(AHM)2022, IA/496(AHM)2022, IA/595(AHM)2022, IA/901(AHM)2022, IA/1017(AHM)2022, IA/1018(AHM)2022, IA/1019(AHM)2022, IA/1020(AHM)2022, IA/1043(AHM)2022, IA/1044(AHM)2022, IA/1045(AHM)2022 & IA/1046(AHM)2022

IA/368(AHM)2022

Learned Senior Counsel, Mr. Navin Pahwa appears for State Bank of India.

Learned Senior Counsel, Mr. Saurabh Soparkar a.w. Learned Counsel, Mr. Monaal Davawala appears for the Respondent No.1/Liquidator.

Learned Counsel, Mr. Rasesh Sanjanwala appears for the ICICI.

Learned Senior Counsel for the Liquidator argued the case with relevant documents of proving exclusive of charge registered (September 1, 2014) in favor of Appellant (ICICI) and 2 other banks in compliance with the Companies Act, 2013. He also submitted a note of chronology of documents submitted evidencing charge creation which he stated remained exclusive in favor of the 3 Banks. He was advised to submit a copy of the minutes of the SCC where the liquidator has placed the relevant information along with a note on the submissions made. His arguments were completed. Learned Senior Counsel for applicant sought time for responding to the arguments.

Learned Counsels for the Bank of Baroda and State Bank of India wanted to submit written notes of arguments. Advised to e-file the same with the Registry.

All matters are listed on 26.09.2023 for further hearing.

Interim relief, if any, to continue till the next date of hearing.

-Sd-

DR. V. G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

-Sd-

CHITRA HANKARE
MEMBER (JUDICIAL)