

NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH
COURT- V

6) IA/3320/2022 IA/395/2022 IA/2534/2021 IA/1578/2021
IA/1407/2021 IA/1437/2022 IA/1483/2022 IA/1397/2022
IA/1864/2022 C.P. (IB)/1224(MB)2020

CORAM:

SMT. ANURADHA SANJAY BHATIA
Member (Technical)

SHRI H. V. SUBBA RAO
Member (Judicial)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **15.11.2022**

NAME OF THE PARTIES: Anand Rathi Global Finance Limited
VS
Premier Limited

UNDER SECTION 7 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

IA/3320/2022

Ms. Jyoti A Singh alongwith Ms. Nishi Agrawal, i/b AJA Legal, Advocates appearing for the Applicant is present through virtual hearing.

The above application has been files seeking to list and hear IA 395/2022 for an early date and the same is **allowed** and disposed of.

IA/1864/2022

Mr. Sahil Monga, Advocate appearing for Applicant and Mr. Naveli, Advocate appearing for the Respondent.

The above application has been filed seeking to provide the entire record of IA No. 1483 of 2022 in CP (IB) No. 1224/MB/2020 along with all the documents.

The learned counsel appearing for the RP as well as Mr. Ankit Lohia, Advocate appearing for the Suspended Board of Directors objected for furnishing the above documents to the Applicant on the ground that the petitioner is not entitled for the above documents till the plan is approved.

Therefore, the petitioner under the above circumstances agreed to obtain a certified copy by filing third party copy of the Application from the registry. Therefore, the above application is no longer necessary and is **disposed of**.

IA/1397/2022

Mr. Shyam Kapadia i/b. Pratik Amin, Advocates appearing for Respondent RP is present through virtual hearing.

The above application is filed by the RP claiming the following relief (1) To direct the Respondent to forthwith resume his duties as a CFO of the Corporate Debtor and further properly prepare and sign the Financial Documents.

In the alternative and without prejudice to prayer clause (a), In the interest of time in case the CFO fails to comply with his duties on-time, for sake of annual compliances to consider a qualified professional to take charge of the financials of the Corporate Debtors prepare properly and sign the financial statements to meet disclosures and compliance requirements under law.

The Learned counsel appearing for the RP submits that the Respondent has attended the office of the RP after filing the Application and provided the necessary documents to the RP except the documents relating to the year 2017. Mr. Sham Kapadiya Counsel appearing for the respondent submits that the Respondent is not having the custody of document of 2017 and expressed his inability. Counsel appearing for the RP being satisfied with the above submissions with regard to non-availability of documents of the year 2017 requested to disposed of the above application by recording the above statement of the respondent. Accordingly, the above IA is disposed of by merely recording the above statement of Respondent.

List this matter on its regular date on **19.12.2022. High on Board.**

SD/-

ANURADHA SANJAY BHATIA
Member (Technical)

/K/

SD/-

H. V. SUBBA RAO
Member (Judicial)