

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH, BENGALURU
[Through Physical hearing/ VC Mode (Hybrid)]

ITEM No.07
I.A. Nos.141, 228,
229 & 230/2021 in
C.P. (IB) No.17/BB/2019

IN THE MATTER OF:

M/s. Oriental Bank of Commerce ... Petitioner
Vs.
M/s. IDEB Projects Pvt. Ltd. ... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on: 15.04.2024

CORAM:

SH. K. BISWAL
HON'BLE MEMBER (JUDICIAL)

SH. MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant in IA 141/2021 : Ms. Neha R.
For the Respondent in IAs 141,
228, 229 & 230 of 2021/Liquidator : Shri Akash Sherwal
For the Applicant in IAs
228, 229 & 230 of 2021 : Shri Shrihari S.

ORDER

I.A. No.141/2021

1. Heard the Ld. Counsels for the parties.
2. Both the Ld. Counsels submitted that this matter belongs to the DMRC and they sought adjournment in view of arbitration proceedings are going on.
3. List the case on **12.06.2024**.

I.A. No.228/2021

1. Heard the Ld. Counsels for the parties.
2. The instant Application has been filed by the Ex-Promoters of the Corporate Debtor to allow the claims of the Applicant. The Ld. Counsel for

the Applicant submitted that the claims of the Applicant were rejected by the Liquidator based on the reason that there was no Loan Agreement for an amount of Rs.11,49,91,422.12/- for repayment of the loan and based on the Judgment passed by Hon'ble NCLAT, New Delhi dated 23.10.2020 in Company Appeal (AT) (INS) No.1064 of 2020 in the matter of M/s. Orator Marketing Pvt. Ltd. Vs. M/s. Samtex Designs Pvt. Ltd. However, he brought to our notice that the said Judgment was set aside by Hon'ble Apex Court in Civil Appeal No.2231 of 2021 dated 26th July, 2021. He further submitted that the amount is shown in the books of account of the Respondent Company.

3. The Ld. Counsel for the Liquidator submitted that Liquidator has rejected their claim on the ground that since the Applicant herein has earlier filed IA 374/2020 seeking delay in filing claim by the Applicant before the Liquidator, and the same was disposed of on 08.01.2021 by permitting the Applicant to file the claim within two weeks. However, the Applicant has not filed the same in the said period and therefore through this IA seeking further condonation of delay.
4. List the case on **12.06.2024**.

I.A. No.229 & 230/2021

1. Heard the Ld. Counsels for the parties.
2. Pleadings are complete in both the I.As.
3. List the matter 'for final hearing' on **12.06.2024**.

Sd/-
MANOJ KUMAR DUBEY
MEMBER (TECHNICAL)

Puja

Sd/-
K. BISWAL
MEMBER (JUDICIAL)