

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**BENGALURU BENCH**

**ITEM No.04**  
**I.A No. 365/2020, 206, 210,211, 240 & 415/2022 in**  
**C.P (IB) No. 157/BB/2019**

**IN THE MATTER OF:**

M/s Meditek Systems	...	Petitioner
Vs.		
M/s. Panacea Hospitals Pvt., Ltd.,	...	Respondent

**Order under Section 9 of I & B Code, 2016**

**Order delivered on: 03.03.2023**

**CORAM:**

**JUSTICE (RETD.)T. KRISHNAVALLI**  
**HON'BLE MEMBER (JUDICIAL)**

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

**PRESENT:**

For the COC	:	Mrs. Chithra Nirmala
For R1 in IA No. 206/2022	:	Shri Saji.P.John
For I.A No. 365/2020 & I.A No. 240/22	:	Shri Vivekananda
For I.A No. 415/2022	:	Shri Hemanth Rao

**ORDER**

**I.A. No. 365/2020 & 240/2022**

1. Heard Learned Counsel for the Applicant and Learned Counsel for the Respondents.
2. The Learned Counsel for the Respondent submits that in the I.A No. 240/2022, amendment prayers sought for I.A No. 365 of 2020 is not mentioned in the prayer column. Therefore, the Learned Counsel for the liquidator is directed to file one page note clarifying the same within one week.
3. List both the I.As on 18.04.2023.

**I.A. No. 206/2022**

1. This application is filed by the Liquidator under Section 35, 60 (5) of the I & B Code, 2016 r/w Regulation 9 of the IBBI (liquidation Process Regulations) 2016 and Rules 11, NCLT Rules, 2016 *interalia*, seeking to direct the Respondents no.1 to 3 to provide the Liquidator the complete books of accounts, other documents and all other information required by the Liquidator to complete the Liquidation of CD; to direct the Liquidator, with respect to the payment to R1 and R3, the fees of Rs. 16, 66,000/- claimed by Respondent No.1, the RP and fee of Rs. 18,000/- claimed by

R3 – SSRN & Co', both in form of CIRP costs in the light of non-cooperation with the liquidator; to direct Respondent No.3 to refund the fees of Rs. 147,500/- collected by him from the RP, due to the deficient services provided by him and also for hiding all the information.

2. The Learned Counsel for the Liquidator submitted that in spite of several requests, the books of accounts and all physical records were not provided to the Liquidator. On the other hand, the Learned Counsel for the Respondent No.1 submitted that the information pertaining to the Corporate Debtor available with him has been already handed over to the Applicant.
3. In consideration of the submissions made by Learned Counsels for the Liquidator and the Respondent No.1, we hereby direct the Respondents No.2 & 3 to handover the documents, books of accounts and all other information as sought by the Liquidator to complete the liquidation of the Corporate Debtor. Accordingly, I.A No. 206/2022 is disposed of.

**I.A. NO. 210 & 211/2022**

1. Heard, Mrs. Chithra Nirmala, Learned Counsel for the Liquidator.
2. The matter is still pending before the Hon'ble High Court of Karnataka.
3. List the IAs on **18.04.2023**.

**I.A No. 415/2022**

1. Heard Shri Hemanth Rao, Learned counsel for the Applicant and Mrs. Chithra Nirmala, Learned Counsel for the Liquidator.
2. The Learned Counsel for the Applicants submitted that he has filed rejoinder vide Diary No. 1205 dated 01.03.2023 and the same is taken on record.
3. List the I.A for hearing on **18.04.2023**.
4. The Learned Counsel for the Liquidator is permitted to file brief synopsis not more than 3 pages for the rejoinder filed by the Applicant within one week.

**Sd/-**

**MANOJ KUMAR DUBEY  
MEMBER (TECHNICAL)**

**Sd/-**

**T.KRISHNAVALLI  
MEMBER (JUDICIAL)**