

# **NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH**

**CORAM: SHRI SHYAM BABU GAUTAM  
HON'BLE MEMBER (TECHNICAL)**

**TMT. T.KRISHNA VALLI  
HON'BLE MEMBER (JUDICIAL)**

PETITION No./IA No.	CA(CAA)/02/KOB/2023
SECTION	SEC 230 C/ACT R/W IBC
NAME OF PARTIES	IN THE MATTER OF PEARL CREST APARTMENT BUYERS ASSOCIATION.
PETITIONERS ADVOCATE/ PROFESSIONAL	PHILIP MATHEW ABHILASH NEDIYALIL ABRAHAM.
RESPONDENTS ADVOCATE/ PROFESSIONAL	

**19 April 2024**

## **ORDER**

### **CA(CAA)/02/KOB/2023**

This is CA(CAA) bearing No. 02/KOB/2023 filed by M/s. Pearl Crest Apartment Buyers Association under Section 230 & 232 of the Companies Act read with IBC, 2016 in the matter of scheme of arrangement between M/s Samson and Sons Builders and Developers Private Limited (Corporate Debtor under Liquidation) and M/s Pearl Crest Apartment Buyers Association, Home Buyers of the Pearl Crest Project of the Corporate Debtor together with Land Owners and Heather Realtors LLP, Prospective Builder.

Learned Authorised Representative, Mr. Abhilash Nedyalil Abraham appears on behalf of the Applicant. Learned Liquidator, Mr. K. Parameswaran Nair appears in person along with his Counsel, Mr. Vinod PV.

Applicant is directed to issue notice along with complete set of this application including the affidavit filed by the Liquidator and the points raised by the Stakeholders

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Consultation Committee to the **Regional Director, Ministry of Corporate Affairs**, 5<sup>th</sup> Floor, Shastri Bhavan, 26 Haddows Road, Chennai, Tamil Nadu – 600006 (e-mail id - rd.south@mca.gov.in) and **Registrar of Companies**, Kerala at Ernakulam by all available means i.e., e-mail, Registered Post and file affidavit of service enclosing therewith a proof of service of notice served on them at least three days before the next date of hearing.

The Regional Director / ROC is directed to examine the proposed Scheme of Arrangement and file report in this regard at least two days before the next date fixed for hearing.

It is seen from the records that the Liquidator has complied with the order dated 20.03.2024 and filed his report. The Applicant is permitted to counter the points raised by the Stakeholders Consultation Committee by way of an affidavit at least 2 days before the next date of hearing. Copy of the reply may also be served on the Counsel appearing for the Liquidator.

List this matter for further consideration on **07.06.2024**.

**Sd /-**

**SHYAM BABU GAUTAM**  
**MEMBER (TECHNICAL)**

**Sd /-**

**T.KRISHNA VALLI**  
**MEMBER (JUDICIAL)**