

NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH

CORAM: **SHRI SHYAM BABU GAUTAM** **TMT. T.KRISHNA VALLI**
 HON'BLE MEMBER (TECHNICAL) **HON'BLE MEMBER (JUDICIAL)**

PETITION No./IA No.	IA(IBC)/298/KOB/2023 in CP(IB)/34/KOB/2021
SECTION	SEC 66(1) IBC
NAME OF PARTIES	ANOOP N (RESOLUTION APPLICANT) OF S D PHARMACY PVT LTD V/S RAMESH KESAVAN & ANOTHER.
PETITIONERS ADVOCATE/ PROFESSIONAL	ARUN KRISHNA DHAN,T K SANDEEP, ARJUN SREEDHAR, ALEX ABRAHAM, SWETHA R , HARI KRISHNAN P B
RESPONDENTS ADVOCATE/ PROFESSIONAL	R SURENDRAN, AC VENUGOPAL

04 JUNE 2024

O R D E R

IA(IBC)/298/KOB/2023 in CP(IB)/34/KOB/2021

This IA bearing No. 298/KOB/2023 was originally filed by the Resolution Professional under Section 66(1) of IBC,2016. In the said application, 2 respondents, Viz., **Mr. Ramesh Kesavan (R1)** SD Pharmacy, 26/1176, Dhanwanthari Bhavan, Balhavan Road, Alleppey, Alapuzha, Kerala, 688011, India and **Ms. Sathy Chatthanad Kesavan (R2)** having address at SD Pharmacy, 26/1176, Dhanwanthari Bhavan, Balhavan Road, Alleppey, Alapuzha, Kerala, 688011, India have been arrayed.

Learned Counsel, Mr. Akhil Suresh appears physically along with Learned erstwhile RP, CA Mr. Jasin Jose.

Learned Counsel, Mr. R Surendran appears on behalf of R1 through virtual mode and submits that Respondent No. 2 has died. However, nothing in support of the death has been produced before this bench. He further submits that when the moment

(2)

he gets the death certificate, the same shall be placed before this bench by way of an affidavit.

It is further brought to the notice of this bench by the Counsel appearing for the erstwhile RP that the Resolution plan has been passed and the RP has been substituted by the Resolution Applicant vide order dated 12.12.2023 in IA(IBC)/508/KOB/2023. Today, none appeared on behalf of the Resolution Applicant. It is seen from the records that the resolution applicant has not made the necessary amendments in the present application for substitution of his name in the place of erstwhile RP. Resolution Applicant is directed to carry out necessary amendments in the Memo of Party of the subject IA.

List the matter for further consideration on **05.07.2024**

IA(IBC)/154/KOB/2024 in CP(IB)/34/KOB/2021

Learned Counsel, Mr. Akhil Suresh appears physically along with Learned erstwhile RP, CA Mr. Jasin Jose. Learned Counsel, Mr. R Surendran appears on behalf of the Respondent.

Matter heard for a considerable time and **reserved for orders.**

IA(IBC)/352/KOB/2023 in CP(IB)/34/KOB/2021

Learned Counsel, Mr. R Surendran appears on behalf of R1 through virtual mode and submits that Respondent No. 2 has expired.

Matter heard for a considerable time and **reserved for orders.**

CONTEMPT PETITION (IBC)/4/KOB/2024 IN IA(IBC)/352/KOB/2023 in CP(IB)/34/KOB/2021

List the matter for further consideration on **11.06.2024.**

Sd /-

**SHYAM BABU GAUTAM
MEMBER (TECHNICAL)**

Sd /-

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