

NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH

**CORAM: SHRI P. MOHAN RAJ, HON'BLE MEMBER (JUDICIAL)
SHRI SATYA RANJAN PRASAD, HON'BLE MEMBER (TECHNICAL)**

PETITION No./IA No.	IA(IBC)/417/KOB/2022 IN IA(IBC)/158/KOB/2022 in CP(IB)/33/KOB/2021
SECTION	NCLT RULE 32 R/W RULE 11
NAME OF PARTIES	E P GEORGE V/S K PARAMESWARAN NAIR (RP) OF KERALA CHAMBER OF COMMERCE & INDUSTRY.
PETITIONERS ADVOCATE/ PROFESSIONAL	PRADEEP JOY, DHARMYA M S, ANJALY ANN JOSEPH, ROHAN KUMAR.
RESPONDENTS ADVOCATE/ PROFESSIONAL	VINOD PV, REETHA D.

Office
Notes

Video Conference

22 Dec 2022

O R D E R

IA(IBC)/417/KOB/2022 IN IA(IBC)/158/KOB/2022 in CP(IB)/33/KOB/2021
Application is filed under Section 60(5) of IBC, 2016 to receive additional documents in **IA(IBC)/417/KOB/2022 IN IA(IBC)/158/KOB/2022**. The main IA is preferred by the applicant against the rejection of the claim by the respondent/liquidator. The main IA is in part heard stage. At this juncture, the applicant come forward with this application seeking leave of the Court to receive some more documents. On the respondent side oppose to receive those documents. Since, they are filed without any pleadings and during the part heard stage. The main application is not an adversial application. Application is preferred against the rejection of the claim, however at this juncture, we don't want to conduct roving enquiry. Further, documents intend to be produced are not relating to any stamp duty issue. In this circumstance and in view of the Apex Court judgment in *Bipin Chand Shantilal Panchal vs. State of Gujarat 2001(3) SCC Page 1*, we are inclined to receive the documents subject to proof and relevancy to be decided along with the main application. In the result, the additional documents are ordered to be taken on file subject to proof relevancy. Thus, this application is Allowed.

Sd /-

**Satya Ranjan Prasad
Member (Technical)**

Sd /-

**P. Mohan Raj
Member (Judicial)**