

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH-I, CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **16.04.2024** THROUGH VIDEO CONFERENCING

PRESENT:

**HON'BLE SHRI. SANJIV JAIN, MEMBER (JUDICIAL)
HON'BLE SHRI. VENKATARAMAN SUBRAMANIAM, MEMBER TECHNICAL)**

IN THE MATTER OF : Union Bank of India
Vs
Star Agro Marine Exports Pvt. Ltd.

MAIN PETITION NUMBER : CP/668/IB/2017

(IA/MA) APPLICATION NUMBERS

IA(IBC)/257(CHE)/2024, MA/1223/IB/2019, MA/553/IB/2018, MA/1221/IB/2019,
MA/554/IB/2018, MA/1222/IB/2019, MA/555/IB/2018

ORDER

IA(IBC)/257(CHE)/2024

Present: Shri. Bhagavath Krishnan PMN, Ld. Counsel for the Applicant/Sole
Member of the CoC/Financial Creditor.

This application has been filed by the Applicant/Sole Member of the CoC seeking substitution in MA/553/IB/2018, MA/554/IB/2018 and MA/555/IB/2018 in CP/668/IB/2017 relating to the transactions under Section 66, 45, 48, 43 & 44 of IBC, 2016.

Heard and perused.

In this case, Resolution Plan has been approved in March, 2019. RP was continuing with the Application. Since RP became *functus officio*, this application has been filed by the sole Member of the CoC/Financial Creditor of the company relating to the alleged transactions.

Considering the above facts, we allow the substitution. Substitution in the cause title be made and the same may be filed. Copy be served on the Counsel for the Respondent.

Accordingly, IA(IBC)/257(CHE)/2024 is **disposed of**.

MA1223/IB/2019, MA/1221/IB/2019, MA/1222/IB/2019,

These applications have been filed by the Respondent for setting aside the ex-parte order passed in MA/553/IB/2018, MA/554/IB/2018, MA/555/IB/2018.

Pleadings in these applications are complete.

We have considered the applications.

Ld. Counsel for the Applicant submits that Resolution Plan has already been approved. Now the applications are to be pursued by the sole member of the CoC/Financial Creditor.

We Also like to hear the stand of the Respondents in the aforesaid applications.

Considering the above facts, in the interest of justice, we allow all the three applications and set aside the ex-parte order in the above applications subject to cost of Rs.5,000/- each, payable to the **Prime Minister's National Relief Fund** within two weeks from today.

Compliance memo be filed before the date fixed.

MA1223/IB/2019, MA/1221/IB/2019, MA/1222/IB/2019 are **disposed of**.

Since pleadings are complete, list MA/553/IB/2018, MA/554/IB/2018 and MA/555/IB/2018 for hearing on **12.07.2024**.

Sd/-

**VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)**

Sd/-

**SANJIV JAIN
MEMBER (JUDICIAL)**

vs