

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT- I) CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **22.04.2024** THROUGH PHYSICAL HEARING

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

IN THE MATTER OF : IJM Concrete Products Pvt. Ltd.
Vs
P Dot G Constructions Pvt. Ltd.

MAIN PETITION NUMBER : CP/193/IB/2018

IA/845(CHE)/2024, (IA/MA) APPLICATION NUMBERS
IA/237(CHE)/2022, IA/257/CHE/2021 IN MA/554/2019
IA/266/CHE/2021 IN MA/554/2019, IA/268/CHE/2021 IN MA/554/2019
IA/269/CHE/2021 IN MA/554/2019, IA/270/CHE/2021 IN MA/554/2019
IA/271/CHE/2021 IN MA/554/2019, IA/430/CHE/2021 IN MA/554/2019
IA/431/CHE/2021 IN MA/554/2019, IA/432/CHE/2021 IN MA/554/2019
IA/434/CHE/2021 IN MA/554/2019, IA/859(CHE)/2021, IA/860(CHE)/2021
IA/862(CHE)/2021, IA/863(CHE)/2021, IA/864(CHE)/2021, IA/921(CHE)/2021,
IA/922(CHE)/2021, IA/923(CHE)/2021, IA/924(CHE)/2021, IA/927(CHE)/2021,
IA/931(CHE)/2021 IN MA/554/IB/2019, IA/1106(CHE)/2021 IN MA/554/2019
IA/1107(CHE)/2021 IN MA/554/IB/2019, IA/1123(CHE)/2021 IN MA/554/2019,
IA/1124(CHE)/2021 IN MA/554/2019, IA/1125(CHE)/2021 IN MA/554/2019,
IA/1128(CHE)/2021 IN MA/554/2019, IA/1129(CHE)/2021 IN MA/554/2019

S.NO.	NAME (IN CAPITAL)	DESIGNATION REPRESENTATION BY WHOM	SIGNATURE
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- | | | | |
|----|---|-----------------------------------|--------------------|
| 1) | Rohan Rajasekaran
Ashlin Christo
Raja Rajan | IA 1123
for respondent | R.R.R
R.R.R |
| 2) | RISHI NANDHAN R B | IA 434 /2021
for respondent | |
| 3) | Jayanumar J | IA 431 /2021
for Respondent | |
| 4) | Parthra Sundaragan | IA 862/2021
for respondent | |
| 5) | ARVIND ATHITHAN. A | IA 922, 921
1106, 1124 of 2021 | A. Athi
(P.T.O) |

3.

IA/845/CHE/2024 s IN MA/554/2019, IA/237(CHE)/2022, IA/257/CHE/2021 IN MA/554/2019, IA/266/CHE/2021 IN MA/554/2019, IA/268/CHE/2021 IN MA/554/2019, IA/269/CHE/2021 IN MA/554/2019, IA/270/CHE/2021 IN MA/554/2019, IA/271/CHE/2021 IN MA/554/2019, IA/430/CHE/2021 IN MA/554/2019, IA/431/CHE/2021 IN MA/554/2019, IA/432/CHE/2021 IN MA/554/2019, IA/434/CHE/2021 IN MA/554/2019, IA/859(CHE)/2021, IA/860(CHE)/2021, IA/862(CHE)/2021, IA/863(CHE)/2021, IA/864(CHE)/2021, IA/921(CHE)/2021, IA/922(CHE)/2021, IA/923(CHE)/2021, IA/924(CHE)/2021, IA/927(CHE)/2021, IA/931(CHE)/2021 IN MA/554/IB/2019, IA/1106(CHE)/2021 IN MA/554/2019, IA/1107(CHE)/2021 IN MA/554/IB/2019, IA/1123(CHE)/2021 IN MA/554/2019, IA/1124(CHE)/2021 IN MA/554/2019, IA/1125(CHE)/2021 IN MA/554/2019, IA/1128(CHE)/2021 IN MA/554/2019, IA/1129(CHE)/2021 IN MA/554/2019

COMMON ORDER

IA/845/CHE/2024

Present: Shri. Ravi Rajagopalan, Ld. Counsel for the Applicant/SRA.

Heard.

This application has been filed seeking following reliefs:

- a. *Declare that the Respondents herein have violated the terms of the Resolution Plan and that the Applicants are entitled to enforce Clause 4(ix) of the Resolution Plan.*
- b. *Declare that the allotment made and the agreements being sale deeds & construction agreements between erstwhile Corporate Debtor and Respondents for the construction and sale of the units stand cancelled.*
- c. *Declare that the Applicants are entitled to sell the units allotted to the Respondents in terms of Clause 44(ix) of the Resolution Plan to ensure completion of the Project.*

- d. *Direct the jurisdictional SRO to register the cancellation of the agreements/deeds as per Annexure-1 between erstwhile Corporate Debtor and Respondents herein for the construction and sale of the units, if the same are registered.*
- e. *Direct the jurisdictional SRO in Annexure-1 to thereafter register the sale to the new buyer as may be identified by the Applicants, without any further actions being required on the part of the Applicants.*
- f. *Grant such other incidental reliefs as may be deemed fit and proper by this Hon'ble Adjudicating Authority.*

Applicant is directed to serve copy of the application on the Respondents and file Affidavit of Service.

List this application along with IA(IBC)/853(CHE)/2024 on **07.06.2024**.

IA/237(CHE)/2022

Present: None for the Applicant.

Shri. Ravi Rajagopalan, Ld. Counsel for the Respondent.

Ld. Counsel submits that status of Respondent No.1 has been updated and amended memo of parties has been filed in terms of the order dated 19.02.2024. Reply also filed.

It is seen that even on the last date, none for the Applicant was present.

Last opportunity is granted for appearance / arguments.

List this application on **14.06.2024 (Physical Hearing)**.

IA/864(CHE)/2021

Present: Shri. Ravi Rajagopalan, Ld. Counsel for the Applicant/SRA.

None for the Respondent.

Rejoinder already filed. Settlement talks failed.

Ld. Counsel submits that additional application is being filed to bring on record certain documents which have bearing on the disposal of the application.

List the application for hearing on **14.06.2024 (Physical Hearing)**.

IA/924(CHE)/2021

Present: Shri. Ravi Rajagopalan, Ld. Counsel for the Applicant/SRA.

This IA has already been disposed of vide order dated 19.02.2024.

Registry is directed to delete this application from the cause list.

IA/927(CHE)/2021

IA/434(CHE)/2021

IA/1129(CHE)/2021

IA/1123(CHE)/2021

IA/862(CHE)/2021

Present: Shri. Ravi Rajagopalan, Ld. Counsel for the Applicant/SRA.

Shri. Rohan Rajasekaran, Shri. Ashlin Christo and Shri. Raja Rajan, Ld. Counsels for the Respondent in IA/1123(CHE)/2021.

Ms. Pavithra Sundararajan, Ld. Counsel for the Respondent in IA/862(CHE)/2021.

Shri. R.B. Rishi Nandhan, Ld. Counsel for the Respondent in IA/434(CHE)/2021.

Rejoinder filed in IA/1123(CHE)/2021. Copy given.

Ld. Counsel Shri. Ravi Rajagoplan submits that party has not approached for settlement in IA/927(CHE)/2021, however, pleadings are complete.

Ld. Counsel Shri. Rishi Nandan submits that reply is being filed and the matter has not been settled.

Pleadings be completed.

In IA/1129(CHE)/2021, Ld. Counsel Shri. Ravi Rajhagopalan submits that Respondent has not approached the Applicant and the matter has not been settled. He however submits that pleadings are complete and the matter be posted for final arguments.

Ms. Pavithra Sundarajan, Ld. Counsel submits that matter has not been fully settled. Respondent needs some more time.

Recording the above submissions, the list the application for completion of pleadings, settlement if any / arguments on **14.06.2024 (Physical Hearing)**.

IA/268/CHE/2021

IA/257/CHE/2021

IA/266/CHE/2021

IA/269/CHE/2021

IA/270/CHE/2021

IA/271/CHE/2021

IA/430/CHE/2021

IA/432/CHE/2021

IA/859(CHE)/2021

IA/860(CHE)/2021

IA/863(CHE)/2021

IA/923(CHE)/2021

IA/931(CHE)/2021

IA/1107(CHE)/2021

IA/1125(CHE)/2021

IA/1128(CHE)/2021

Present: Shri. Ravi Rajagopalan, Ld. Counsel for the Applicant.

None for the Respondents.

Despite notice and paper publication, neither the Respondents nor the Counsel for the Respondents are present.

Repeated calls made.

Respondents are set as ex-parte.

List these applications for final hearing on **14.06.2024 (Physical Hearing)**.

IA/921(CHE)/2021

IA/922(CHE)/2021

IA/1106(CHE)/2024

IA/1124(CHE)/2024

Present: Shri. Ravi Rajogopaln, Ld. Counsel for the Applicant.

Shri. Arvind Athithan, Ld. Counsel for the Respondents.

Ld. Counsel for the Respondent submits that Respondents are inclined to settle the matter. They need some more time.

Recording the above submissions, list the applications for settlement, if any / hearing on **14.06.2024 (Physical Hearing)**.

Pleadings be completed before the date fixed.

IA/431/CHE/2021

Present: Shri. Ravi Rajogopaln, Ld. Counsel for the Applicant.

Shri. Jayakumar, Ld. Counsel for the Respondent.

Ld. Counsel for the Respondent submits that Respondent is inclined to settle the matter. They need some more time.

Recording the above submissions, list the application for settlement, if any / hearing on **14.06.2024**.

Pleadings be completed before the date fixed.

Sd/-

**VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)**

Sd/-

**SANJIV JAIN
MEMBER (JUDICIAL)**

vs