

**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 : Vinay R
Vs
Cargowings Logistics Limited

MAIN PETITION NUMBER :CP(IB)/121(CHE)2023

(IA/MA) APPLICATION NUMBERS

IA/2388(CHE)/2023

ORDER

Present: Ms. Shubharanjani Ananth, Ld. Counsel for the Applicant.
Shri. B. Tilak Narayanan, Ld. Counsel for R1/IRP.
None for R2.

Even on the last date of hearing i.e. 13.02.2024, none appeared for R2/Suspended Directors.

R2 accordingly is set as ex-parte.

Rejoinder filed by the Applicant.

Ld. Counsel for the Applicant submits that the Applicant had entered into lease agreement with the Suspended Directors and not with the Corporate Debtor. The office which is in occupation with the IRP, belongs to the Applicant and the lease has already been terminated in June, 2023, however, till date, the premises has not been vacated. Even, no rent is being paid. It is submitted that the premises has been closed by the RP and the documents/materials have also been removed from there.

Ld. Counsel for the Applicant submits that a direction may be given to the RP to hand over the premises to the Applicant.

Ld. Counsel for the IRP per contra, submits that CIRP in the present case, started in November, 2023. RP is not liable to pay any rent in the absence of any claim filed by the Applicant for the period from June, 2023 to October, 2023.

Ld. Counsel for the Applicant submits that the Applicant will take suitable steps in this regard.

As regards payment of rent since November, 2023, Ld. Counsel for the RP submits that he has taken up the matter with the CoC which is under consideration and by the next date, he will be able to respond.

Considering the above submissions, list this application for response / reply on **28.05.2024**.

Sd/-

**VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)**

Sd/-

**SANJIV JAIN
MEMBER (JUDICIAL)**

vs