

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH - II
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 07-11-2023 AT 10.30 A.M. THROUGH PHYSICAL HEARING:

PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)

APPLICATION NUMBER : IA(IBC)/905(CHE)2021
PETITION NUMBER : IBA/307/2019
NAME OF THE PETITIONER : Dongwoo Surface Tech India Pvt Ltd
NAME OF THE RESPONDENT(S) : Subrata Mohindranath Maity (RP)
Bhatia Coke and Energy Ltd
UNDER SECTION : Sec 60(5) of IBC, 2016

Surendra Jochi, PCA
Rites Goel, Adv

Rites Goel
07/11/23

for Respondents
in IA 905/2021

Rites Goel
7/11/2023

Jayanth
Viswanathan
PCS
Amisha Rathi
Advocate
For Applicant.

V. Jayanth
Aushika

1. IA(IBC)/905(CHE)2021 IN IBA/307/2019

ORDER

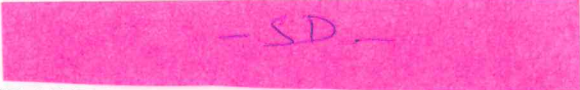
Ld. PCS Mr.Jayanth Viswanathan appears for the Applicant. Ld. Counsel Mr.Rites Goel appears for Successful Resolution Applicant.

Ld. PCS for the Applicant submits that during the termination of agreement made in the CIRP period, the RP has released a sum of Rs.50,00,000/- against the total claim of Rs.82,50,000/- and the balance of Rs.32,50,000/- is to be paid. Ld. Counsel for the SRA submits that the release of payment of Rs.50,00,000/- during the CIRP period by the ex-RP is not in accordance with law and also there were ^{transactions} correspondences by the Directors of the CD in the post-CIRP period which have also not been allowed under the law.

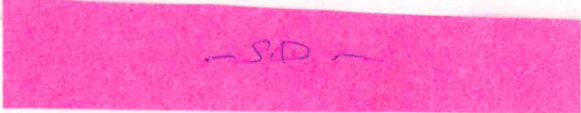
Ld.PCS submits that the alleged dues is part of the CIRP costs and states that consequent to the termination of the aforesaid agreement, the sum is payable as part of this agreement.

Heard the submissions made by the Counsels. **Order Reserved.**

Both parties are directed to submit synopsis not more than three pages, giving page numbers, dates and events and citations, within a **week** from today.


RAVICHANDRAN RAMASAMY
MEMBER (TECHNICAL)

ss


JYOTI KUMAR TRIPATHI
MEMBER (JUDICIAL)