

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

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON 28.11.2022 at 02.30 PM THROUGH VIDEO CONFERENCING

PRESENT: JUSTICE RAMALINGAM SUDHAKAR, HON' BLE PRESIDENT
SHRI. SAMEER KAKAR, MEMBER (TECHNICAL)

IN THE MATTER OF

: M/s.Vasan Health Care Pvt Ltd

MAIN PETITION NUMBER

: CA/1/2017

(IA/MA) APPLICATION NUMBERS

New Application IA/1224(CHE)/2022, IA/1208(CHE)/2022

207) New Application IA/1224(CHE)/2022;
IA/1208(CHE)/2022; IN CA/1/2017

ORDER

The Applicant is represented by the Ld. Counsel Mr. Narayana Kamma through video conferencing mode.

IA(IBC)/1224(CHE)/2022 has been filed with the following reliefs:-

1. Issue directions to the Respondent Central Board of Trustees, Employees' Provident Fund Organisation to waive a sum of Rs. 22,30,83,409 being 100% of the Penal damages levied under Section 14 B of the Employees' Provident Fund and Miscellaneous Provisions Act 1952 on the Corporate Debtor in the interest of Justice;

2. Pass such order/directions as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

The prayer in this Application is misconceived and no direction can be issued by NCLT against another authority. NCLT does not have the mandate to interfere in the proceedings of the EPFO during moratorium period. The direction as sought cannot be granted and therefore relief is declined. Hence, the Application stands **dismissed**.

IA/1208(CHE)/2022: - Counsel for the Respondent is directed to file the documents by way of e-filing within three days from today.

Two week time is allowed to the Applicant to file rejoinder, if any.

List the matter on **23.01.2023** for further hearing.

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(SAMEER KAKAR)
MEMBER (TECHNICAL)

MS

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(JUSTICE RAMALINGAM SUDHAKAR)
PRESIDENT