

**NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH  
COURT HALL NO: II**

**Hearing Through: VC and Physical (Hybrid) Mode**

**CORAM: SHRI. RAJEEV BHARDWAJ, HON'BLE MEMBER (J)**

**CORAM: SHRI. SANJAY PURI, - HON'BLE MEMBER (T)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,  
HYDERABAD BENCH, HELD ON 10.05.2024 AT 10:30 AM**

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	IA (IBC)/480/2024 in CP(IB) No.43/7/HDB/2018
NAME OF THE COMPANY	Leo Meridian Infrastructure Projects & Hotels Ltd
NAME OF THE PETITIONER(S)	Andhra Bank
NAME OF THE RESPONDENT(S)	Leo Meridian Infrastructure Projects & Hotels Ltd
UNDER SECTION	7 of IBC

**ORDER**

**IA (IBC)/480/2024**

Orders pronounced, recorded vide separate sheets. In the result, this application is allowed.

**Sd/-**  
**MEMBER (T)**

**Sd/-**  
**MEMBER (J)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH -II**

**I.A. No. 480 of 2024 in  
CP(IB)No. 43/07/HDB/2018**

**U/s section 60(5) of IBC, 2016,  
Rule 11 of NCLT Rules, 2016.**

**In the matter of Leo Meridian Infrastructure Projects and Hotels Limited.**

**Between:**

**Krishna Mohan Gollamudi,**

(Resolution Professional of the CD),

FF 26, Raghava Ratna Towers, Chirag Ali Lane,

Abids, Hyderabad.- 500001

**.. Applicant / Resolution Professional**

**A n d**

1. The Mandal Revenue Officer / Tahsildar,  
Shamirpet Mandal,  
Medchal – Malkajgiri Dist.  
Telangana – 500078.
  
2. The Mandal Surveyor,  
Mandal Revenue Office,  
Shameerpet Mandal,  
Medchal- Malkajgiri Dist.  
Telangana- 500078.

**..Respondents**

Date of order: 10.05.2024

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**CORAM:**

**Hon'ble Sri Rajeev Bhardwaj, Member (Judicial)**

**Hon'ble Sri Sanjay Puri, Member (Technical)**

**Counsels present:**

For the Applicant : M/s GLC & Partners- Advocates

**Per: [Rajeev Bhardwaj, Member (Judicial)]**

**ORDER**

1. The Applicant has filed the present application under section 60 (5) of the Insolvency & Bankruptcy Code, 2016 read with Rule 11 of the NCLT Rules, 2016, seeking directions against the Respondent No. 1 & 2 to conduct the survey of the land belonging to the Corporate Debtor.

**2. Petitioner's Case:**

2.1. This Adjudicating Authority ordered the initiation of Corporate Insolvency Resolution Process (CIRP) for the Corporate Debtor vide order dated 09.04. 2019. Initially, Mr. B. Naga Bhusan was appointed as the Interim Resolution Professional (IRP). Later on, Mr. Raj Kumar Ralhan was

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appointed as the Resolution Professional (RP) vide Order dated 22.05.2019. Subsequently, Mr. Krishna Gollamudi was appointed as Resolution Professional by this Authority vide order dated 17.10.2022.

2.2. The Applicant has submitted two applications for Passbook data correction through the Dharani Portal, under the Integrated Land Records Management System. These applications were made to enquire the status of various Survey Nos. 118, 387, 388, 389, 390, 392, 414, 418, 419, 420, 421, 430, and 706, along with their respective sub-divisions under Khata No. 1701 and 1781, within the Bommaraspet Village, Shameerpet Mandal, Medchal-Malkajgiri District. The total land area under scrutiny is Ac. 52.090 Gts for Khata No. 1701 and Ac. 64.3900 Gts for Khata No. 1781.  
*(Annexure 4)*

2.3. The Applicant has filed several F-LINE petitions before TSTS Ltd i.e., Mee-Seva, seeking land surveys in the said lands in furtherance of the Corporate Insolvency Resolution Process (CIRP). These F-Line petitions were filed with Transaction IDs TTDER022300975581, TTDER022300975583, TTDER022300975589, and TTDER022300975587, under Application Nos. DER223009755781, DER223009755783, DER223009755789, and DER223009755787, respectively, on 08.08.2023.

2.4. Despite the filing of the aforementioned F-LINE petitions, except the cursory visit made by the surveying team on 25.01.2024, there has been no action from the Respondents for almost two months, Additionally, the Applicant communicated the orders dated 09.04.2019, 13.06.2019 and 17.10.2022 issued by this Authority to the Respondents through letters dated 27.10.2023. These letters referenced the four F-LINE petitions and

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requested the Respondents to expedite the land survey process to facilitate the ongoing CIRP proceedings concerning the Corporate Debtor. However, no action has been taken by the Respondents.

- 2.5. To support his contentions, the Applicant made reliance on various NCLT, NCLAT and Supreme Court decisions as enclosed in Annexure 11-18 of the application
3. Despite the service of notice to Respondents, they did not appear.
4. We have heard the learned counsel of the Applicant and have also gone through the entire records.
5. There is no specific provision in Insolvency and Bankruptcy Code, 2016 or the rules made there under, to provide the relief as claimed by the Applicant. However, section 60(5) of IBC and Rule 11 of NCLT Rules, 2016 provide ancillary powers to do justice. Here we also want to refer the decisions in ***Gujarat Urja Vikas Nigam Limited Vs Mr. Amit Gupta & Ors. (2021) ibclaw.in 44 SC, Paschimanchal Vidyut Vitran Nigam Ltd Vs Raman Ispat Private Limited & Ors. (2023) INSC 625*** and ***Greater Noida Industrial Development Authority Vs. Prabhjit Singh Soni & Anr. (2024) INSC 102.***
6. When the Applicant is unable to exactly locate the properties, it is also the duty of this Authority to correctly identify the properties of the CD to avoid unnecessary litigation in near future.
7. In the light of above discussion, the present application is allowed and we hereby direct the Respondent No.1 and Respondent No.2 to conduct the survey

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of land admeasuring Ac. 52.090 Gts for Khata No. 1701 and Ac. 64.3900 Gts for Khata No. 1781 in Sy. No.s 118, 387, 388, 389, 390, 392, 414, 418, 419, 420, 421, 430, and 706 located at Bommaraspeta Village, Shameerpet Mandal, Medchal-Malkajgiri District within 3 months from the date of receipt of this Order.

**SD/-**

**(SANJAY PURI)**  
**MEMBER (TECHNICAL)**

**SD/-**

**(RAJEEV BHARDWAJ)**  
**MEMBER (JUDICIAL)**