सत्यमेव जयते

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI - Court-IV

Hearing through: VC and Physical (Hybrid) Mode

DAY: FRIDAY

DATE: 02.08.2024

TIME: 10:30 AM

1. Cisco Webex Video Conference ID 25121945477 -
2. **VC Link https://ncltmum.webex.com/meet/ncltmumc4**
3. **Following matters are listed before the Bench for hearing through Hybrid Mode.**
4. **In case joining through video conferencing, parties shall join through Laptop and not through Mobile and not while in a Vehicle.**
5. **While joining hearing through VC, Counsels/ parties have to write the Item No. along with their names (in the Username Box while logging in), otherwise joining the hearing through VC may not be permitted.**
6. **Parties are requested to test the Audio & Video Quality of their system before hearing and switch on their camera only at the time of appearance.**
7. **Parties shall keep their Audio muted & Video closed till their matter is called out.**
8. **Parties should be ready with requisite infrastructure to share the documents on-line during the hearing.**
9. **Parties should be ready to share on-line, the Judgments / Citations sought to be relied upon.**
10. **Appearance should be shared during the hearing in the Chat Box in the Cisco web-ex with item No. and for whom they are appearing.**
11. **Parties/ counsels appearing physically should make attendance in the Register maintained in the court for the purpose.**
12. **Note: Hybrid mode in the present context means court assisted hybrid hearings in case one party is physically present and the other party is appearing through Video Conference. This will continue till proper hybrid system is set up for which consultation is in progress with the Ministry of Corporate Affairs and other stakeholders.**

Coram:

MS. ANU JAGMOHAN SINGH, Hon'ble Member (T) **SHRI. KISHORE VEMULAPALLI, Hon'ble Member (J)**

Sr. No.	CP. No.	IA/CA No.	Purpose	Section	Name of Parties	Name of Counsel for P	Name of Counsel for R	Name of RP/ Liquidator/MP	Remarks
Pronouncement of Order									
1.	C.P. (IB)/308(MB)2022	**IA(IBC)(LIQ.)/ 68(MB)2024** Sec 33(1) (b) (i) to (iii) r/w Sec 33(3)	For Order	IBC under Sec 7	Clearwater Capital Partners Singapore Fund V Pvt. Ltd. Vs Renaissance Urban-Infra Private Limited	Kunal Kanungo			
2.	C.P. (IB)/3394(MB)2019	**IA(IBC)(LIQ.)/ 50(MB)2024** Sec 33(1) (b) (i) to (iii) r/w Sec 33(3)	For Order	IBC Under Sec 9	Wintry Engineering And Chemicals Private Limited Vs Rushabh Lifestyle Private Limited	Yahya Batatawala			
3.	C.P. (IB)/469(MB)2021	**IA(IBC)(LIQ.)/ 47(MB)2024** Sec 33(1) (b) (i) to (iii) r/w Sec 33(3)	For Order	IBC Under Sec 10	Nashik Forge Private Limited	Avinash R Khanolkar			
4.	C.P.(CAA)/157(MB)2022 IN C.A.(CAA)/115(MB)2021		For Order	Sec. 230-232	Art Capital (India) Private Limited Vs Rajiv Kumar Assistant Director, Directorate Of Enforcement	Hemant Sethi And Co			
5.	C.P.(CAA)/51(MB)2024 IN C.A.(CAA)/245(MB)2023		For Order	Sec. 230-232	Synechron Technologies Private Limited	Hemant Sethi And Co			
6.	C.P.(CAA)/55(MB)2024 IN C.A.(CAA)/174(MB)2023		For Order	Sec. 230-232	Elektromag Devices Private Limited	Ajit Singh Tawar			
7.	C.P.(CAA)/107(MB)2024 IN C.A.(CAA)/9(MB)2024		For Order	Sec. 230-232	Tata Motors Limited	Cyril Amarchand Mangaldas Indranil Deshmukh			

Supplementary List									
8.	C.P. (IB)/635(MB)2023	**IA 3804(MB)2024** Sec. 12A	For seeking appropriate directions	IBC under Sec 7	The South Indian Bank Limited Vs Indounique Flame Ltd	Avp Partners			
9.	C.P. (IB)/1221(MB)2022	**IA 3796(MB)2024** Rule 11 of NCLT, 2016	For seeking appropriate directions	Section 95(1)	Idbi Bank Ltd (Through Resolution Professional Mr. Indrajit Mukherjee) Vs Mrs. Sangeeta Ramhari Ganage	Manish Jha			
10.	C.P. (IB)/1229(MB)2022	**IA 3799(MB)2024** Rule 11 of NCLT, 2016	For seeking appropriate directions	Section 95(1)	Idbi Bank Ltd (Through Resolution Professional Mr. Indrajit Mukherjee) Vs Mrs. Pratibha Shivaji Ganage	Manish Jha			
11.	C.P. (IB)/1230(MB)2022	**IA 3798(MB)2024** Rule 11 of NCLT, 2016	For seeking appropriate directions	Section 95(1)	Idbi Bank Ltd (Through Resolution Professional Mr. Indrajit Mukherjee) Vs Mr. Ramhari Devrao Ganage	Manish Jha			
12.	C.P. (IB)/1284(MB)2022	**IA 3797(MB)2024** Rule 11 of NCLT, 2016	For seeking appropriate directions	Section 95(1)	Idbi Bank Ltd (Through Resolution Professional Mr. Indrajit Mukherjee) Vs Mr. Rohan Ramhari Ganage	Manish Jha			
Ordinary List									
13.	C.P. (IB)/1164(MB)2020	**IA(IBC)(PLAN)/ 18(MB)2024** Sec 30	Resolution Plan	IBC under Sec 7	Edelweiss Asset Reconstruction Company Limited Vs Perfect Engineering Products Limited	Abhishek Anand			
14.	C.P. (IB)/181(MB)2024		Further Consideration	IBC under Sec 7	Clearwater Capital Partners Singapore Fund Iv Private Limited Vs Marvel Luxury Realtors Private Limited	Argus Partners			
15.	C.P. (IB)/319(MB)2024		Further Consideration	IBC under Sec 7	Canara Bank Vs Mep Infrastructure Private Limited	Mdp And Partners Nishit Dhruva			
16.	C.P. (IB)/1777(MB)2019	**IA 61(MB)2024** Sec 60(5)	For seeking appropriate directions	IBC under Sec 7	American Express Banking Corp Vs Dhanvantari Millk Products Private Limited	Piyush Deshpande			

17.	C.P. (IB)/923(MB)2020	**IA 3588(MB)2024** Sec 60(5) **APPEAL (IBC)/06(MB)2024** Sec 42	For seeking appropriate directions	IBC under Sec 7	Axis Bank Limited Vs Talwalkars Healthclubs Limited	The Law Point			
18.	C.P. (IB)/1056(MB)2020	**IA 3586(MB)2024** Sec 60(5) **APPEAL (IBC)/05(MB)2024** Sec 42	For seeking appropriate directions	IBC under Sec 7	Axis Bank Limited Vs Talwalkars Better Value Fitness Limited	Tlp			
19.	C.P. (IB)/1337(MB)2020	**IA 3708(MB)2024** Sec 60(5)	For seeking appropriate directions	IBC under Sec 7	Srei Equipment Finance Limited Vs Nirmal Lifestyle Kalyan Private Limited	Cyril Amarchand Mangaldas Indranil Deshmukh			
20.	C.P. (IB)/337(MB)2022	**IA 3456(MB)2024** Sec 19(2)	For seeking appropriate directions	IBC under Sec 7	Icici Bank Limited Vs Darode Jog Realities Private Limited	Harshit Khare			
21.	C.P. (IB)/592(MB)2022	**IA 1041(MB)2024** Sec 60(5)	For seeking appropriate directions	IBC Under Sec 9	Amit Infra-Logic (India) Private Limited Vs Radius & Deserve Builders Llp	Cyril Amarchand Mangaldas Indranil Deshmukh			
22.	C.P. (IB)/856(MB)2021		Further Consideration	Section 95(1)	State Bank Of India (Creditor) Through The Resolution Professional Mr. Purusottam Behera Vs Mr. Ketan Shah	Akr Advisors Llp			
23.	C.P. (IB)/858(MB)2021		Further Consideration	Section 95(1)	State Bank Of India (Through Resolution Professional Mr. Purusottam Behera Vs Mr. Siddhivinayak Shivram Dalvi	Akr Advisors Llp			
24.	C.P. (IB)/108(MB)2022		Further Consideration	Section 95(1)	State Bank Of India Vs Naresh Kumar Chaudhary	K.P. Sreejith			
25.	C.P. (IB)/1094(MB)2023	**IA 830(MB)2024** Rule 11 of NCLT, 2016	For seeking appropriate directions	Section 95(1)	Tata Capital Financial Services Limited Vs Sandeep Ramkrishna Arora	I V Merchant And Company Kunal Kanungo			

26.	C.P. (IB)/214(MB)2024	**IA 2985(MB)2024** Application under any other provisions- IBC	For seeking appropriate directions	Section 95(1)	Bank Of India Vs More Tanaji Shivajirao Personal Guarantor Of Rudrani Health Care Services Limited	Prajakta Menezes Link Lega India Law Services			

NOTE:

1. All efforts have made to provide accurate information in the Cause List. Inadvertent error, if any, is regretted and may be brought to the notice of the Registry.
2. For urgency application has to be filed no Praecipe will be accepted.
3. The orders passed in these cases will be uploaded in NCLT website.

-Sd-

(Anil K. Choudhary)

Court Officer

RESOLUTION PLAN CHECK LIST- SECTION-30 IBC

01.	C.P(IB) No.	
	Filed on	
	Admitted date with Default Amount.	
02.	I.A No.	
	Filed On	
03.	Name of SRA	
04.	Approved Resolution Plan date along with final revision, if any.	
05.	Plan approval voting percentages along with COC Meeting No. with date.	
06.	Fair Value	
07.	Liquidation Value	
08.	Total Amt. Provided under Plan.	
09.	Whether the SRA is MSME? If Yes, Whether the MSME Certificate filed?	
10.	a) Whether the RP filed a/w the IA, the affidavit u/s 29A given by the SRA?(Reg 39(a)	
	b) Undertaking by the PRA(Reg. 39(c)	
	c) Whether RP has filed DDR as per(Reg 36A(8)	
11.	Mandatory Contents in Resolution Plan.	
	a) Statements as to how plan has dealt with the interest of all stakeholders including FC and OC(Reg 38(1A of CIRP)	
	b) Term of Plan and its implementation Schedules(Reg 38(2)(a)	
	c) Satisfaction of Conditions Under Reg. 38(3)	
12.	Whether the Performance Bank Guarantee is filed with the IA? If yes, valid till which date?	
13.	Source of funds	
14.	Relief and Concessions with Justification.	
15.	Whether the Form H is filed as per latest IBBI format?	

16.	Whether any avoidance transaction IAs pending before the Bench? If Yes, file affidavit regarding how the funds will be distributed in the event of its realization(As per Notification No. IBBI/2022-23/GN/REG084)	
17.	Whether any reduction of capital included in the Resolution Plan.	
18.	Whether the claims of the Statutory Authorities are included in the approved Plan in line with the Judgement of State Tax Officer Vs Rainbow Papers Limited (Civil Appeal No. 1661 of 2020)? If the amounts are not provided under the plan, then affidavit is to be filed stating the reasons for not providing the same by the SRA.	
19.	Whether the claims of the PF/Gratuity dues are included in the approved plan in line with the Judgement of Jet Aircraft Maintenance Engineers Welfare Association v/s RP of Jet Airways Ltd. (Co. Appeal (AT)(Insol.) No. 752 of 2021 dt 21.10.2022. If the amounts are not provided under the plan , then Affidavit is to filed stating the reasons for not providing the same by the SRA.	
20.	RP has to file an Affidavit in view of the IBBI CIRP Regulations,2016(5 th Amendment on 20.09.2022) undertaking for compliances for the provisions of Reg. 31 A for paying the applicable regulatory fee to the IBBI, if Plan is approved by the Bench.	
21.	Affidavit regarding pending litigations, if any, filed?	

Date:

Submitted by:
Contact No.
E-mail:

Check List for SECTION-33 of IBC

(To be filed by the RESOLUTION PROFESSIONAL)

1. Please specify the Section/Sub-Section under which application is made:

   (i) Section 33(1)(a)/33(1)(b)
   (ii) Section 33(2)
   (iii) Others
2. Date if initiation of CIRP -

3. Shares of Members of CoC - Table

Name of the financial creditor	Amount claimed	Amount admitted	Percentage of voting share(%)

4. Valuation Report

Sr. No.	Name of Valuer	Fair value	Liquidation Value

5. Meetings of CoC

Particulars	Date of CoC Meeting	Main Points of discussion	Important decisions taken
1st CoC Meeting			
2nd CoC Meeting			

6. Is the Corporate Debtor a Going concern?

7. Details of change of RP, if any?

8. Allegations of PUFE Transactions filed by RP under Regulation 35A:

Sections	Nature of allegation	Amounts involved	Documents relied upon	Remarks

9. Details of exclusion(s) & extension(s) granted by NCLT, if any?

10. Compliance of the following

    Regulations: Regulation 39B;

    Regulation 39C:

    Regulation 39D;

11. Any such application as mentioned above is pending before NCLT.

12. Any order passed by NCLT or Higher Judicial Authorities e.g. Hon'ble Supreme Court & Hon'ble NCLAT and Others, relating to this CIRP proceedings.

13. Details of the IAs/CAs filed where the RP is applicant/respondent in the following Format:

Sr. No.	IAs/CAs No.	Date of filing	Applicant(s)	Respondent(s)	Prayer	Remarks	Bearing on Resolution Plan

Date:

Submitted by:
Contact No.
E-mail:

CHECK LIST FOR VOLUNTARY LIQUIDATION
(SECTION 59 OF IBC)

Sr. No	Particulars	Please provide the Annexure/page no as mentioned in the application/submissions
1	Jurisdiction of concerned RoC	
2	MOA & AOA of the Petitioner Company True copy of Master Data	
3	Date of meeting of Board of Director • Minutes attached • % of members approving the proposal	
4	Declaration of Solvency with RoC- duly signed by Directors	
5	Information to Registrar of Company and IBBI in Form GNL-2 and MGT-14 along with EOGM resolution	
6	Public Announcement	
7	Whether any claim lodged pursuant to public announcement? If any claim is filed, whether the same has been settled?	
8	Whether information is given to the IT Department under Section 178 of Income Tax Act?	
9	Creditor's claims verification by Liquidators	
10	Date of Preliminary and Final reports by Liquidator	
11	Separate Bank Account details	
12	Whether accounts in bank account distributed? And Bank A/c closed?	

13	Filing of final report with RoC/IBBI	
14	Any response filed to the report of RoC/IBBI	

Other Relevant information/Remarks	

Date:

Submitted by:
Contact No:
Email

Check list for Dissolution of Corporate Debtor

(To be filed by the LIQUIDATOR under Section 54 of the IBC)

1. Date of commencement of Liquidation and appointment of Liquidator -
2. Date of filing and Diary No. of Preliminary Report (as per Regulation 13) submitted before NCLT.
3. Date and Diary No. of Asset Memorandum (as per Regulation 34) submitted before NCLT.
4. Amount claims received and verified:

Sr. No.	Names	Claims received Amount (in Cr.)	Claims verified under Regulation 12(2)(b) Amount (in Cr.)
1.	Operational Creditors		
2.	Financial Creditors		
3.	Workmen and Employees		
4.	Other Stakeholders		

5. Date of constitution of Stakeholders Consultation Committee as per Regulation 31A.
6. Meetings of the Stakeholders Consultation Committee:

Particulars	Date of SCC Meeting	Main Agenda of discussion	Important decisions ratified	Whether any advice of SCC not complied By the Liquidator	Remarks
1st SCC Meeting					
2nd SCC Meeting					

7. Value of Assets, Valued in accordance with Regulation 35 –

Sr. No.		Market Value	Liquidation Value
1.	Agriculture Land		
2.	Factory Land & Building		
3.	Plant, Machinery, Furniture & Fixtures		
4.	Trade Receivable		
5.	Cash & Cash equivalent		
6.	Short Term Loans & Advances		
7.	Others (Please specify)		

8. Whether any compromise or arrangement is proposed under Rule 2B?
9. Whether Valuation of assets or business intended to be sold has been completed as on date?
10. Provision under which Sale of Assets have been made so far (as per Regulation 32 (a) to (f)):

Regulation 32	Value of Asset
(a)	
(b) …….(f)	

11. Whether the Liquidator has formed an opinion and made a determination on the preferential and other transactions: Yes/No

12. Whether the avoidance applications have been segregated Section wise? Yes/No

13. Whether any avoidance application pending before this Adjudicating Authority? Yes/No

14. Name and Contact details of the Forensic Auditor:

15. Whether the Forensic Auditor is in the empaneled list of the Indian Banks' Association? Yes/No

16. Whether Form H is filed?

17. Allegations of PUFE Transactions filed by Liquidator under Regulation 35A:

Sections	Nature of allegation	Amounts involved	Documents relied upon	Whether still pending for adjudication

18. Details of the IAs/CAs filed where the Liquidator is applicant/respondent in the following Format:

Sr. No.	IAs/CAs No.	Date of filing	Applicant (s)	Respondent(s)	Prayer	Diary No./Date of submissions made so far	Remarks

19. Whether any litigation or avoidance application pending in respect of the corporate debtor.

20. If yes, the liquidator to call a meeting of the financial creditors and they will submit on affidavit clarifying on the following:

    I. How these litigations /applications are proposed to be pursued, who will receive the proceeds, if any, from the above litigation/application and who will meet the expenses on these proceedings after the dissolution of the corporate debtor.

Date:

Submitted by:
Contact No:
E-mail: