



**NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI BENCH  
COURT-II**

Hearing Through : VC and Physical (Hybrid) Mode

1. Cisco Webex Video Conference ID : **25187427915**
2. **VC Link of Court-II (NCLT, Delhi)** <https://ncltdelhi.webex.com/join/courtofficerb2-nd>
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 webex with item No. and for whom they are appearing.
11. Parties/Counsels appearing physically should mark attendance in The Register maintained in the court room for the purpose.

**DAY :TUESDAY**

**DATE: 15.07.2025**

**TIME: 10:30 A.M.**

**CORAM: 1. SH. ASHOK KUMAR BHARDWAJ, HON'BLE MEMBER (J)**  
**2.MS.REENA SINHA PURI, HON'BLE MEMBER (T)**

| S. No.                    | CP. No.                | IA/CA No.          | Purpose                                                                                                                                | Section                              | Name of Parties                                                                                      | Name of Counsel for Petitioner / Applicant | Name of Counsel for Respondent | Name of IRP/RP / Liquidator/ MP | Remarks |
|---------------------------|------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------|---------------------------------|---------|
| <b>Supplementary List</b> |                        |                    |                                                                                                                                        |                                      |                                                                                                      |                                            |                                |                                 |         |
| 301                       | CP-109/ND/2025         | New Petition       | Notice/ Admission                                                                                                                      | Sec 140(5) R/w 147, 420, 447         | M/s HunyHuny Overseas Private Limited Vs. M/s Kapoor S & Associates Through Partner CA Sheenu Kapoor | Adv Chambers of Rohit Ghosh                |                                |                                 |         |
|                           | 1                      | New IA-217/ND/2025 | seeking urgent adinterim ex-parte reliefs under Section 140 (5)                                                                        | Sec 140(5)                           | M/s HunyHuny Overseas Private Limited Vs. M/s Kapoor S & Associates                                  | Adv Chambers of Rohit Ghosh                |                                |                                 |         |
| 302                       | CP-114/ND/2025         | New Petition       | Notice/ Admission                                                                                                                      | U/sec 213                            | Flovel Hydro Technologies Pvt. Ltd. Mecamidi Hpp India Pvt. Ltd.                                     | Adv. Anirudh Wadhwa                        |                                |                                 |         |
| 303                       | CP 116/ND/2025         | New Petition       | Notice/ Admission                                                                                                                      | Sec 441                              | Delhi Warehousing Pvt. Ltd. Vs. Registrar of Companies Delhi & Haryana                               | Mr. Aman Nath                              |                                |                                 |         |
| 304                       | CP-189/241-242/ND/2024 | Main Matter        | Further Consideration                                                                                                                  | Sec. 241(1),Sec. 242(4)              | Sanjay Goel Vs Majestic Buildcon Pvt. Ltd                                                            | Adv. Mayank Wadhwa                         |                                |                                 |         |
|                           | 1                      | New IA-219/ND/2025 | For Setting Aside An Ex-Parte Order dated 12.03.2025                                                                                   | U/ rule 49 (2)                       | Majestic Buildcon Pvt. Ltd VS. Sanjay Goel                                                           | Adv.. Maheshwari & Co.                     |                                |                                 |         |
| 305                       | CP-156/241-242/ND/2021 | Main Matter        | Further Consideration                                                                                                                  | 241,242,243. 244 r/w 244 & 213 & 447 | Ajay Chopra Vs. Capital Surgical Company Pvt. Ltd. & Ors.                                            | Adv. Jitender Chaudhary                    |                                |                                 |         |
|                           | 1                      | New IA-223/ND/2025 | Stay the operation and implementation of the draft minutes of Board Meeting dated 26.04.2025                                           | U/sec 242 (4)                        | Ajay Chopra Vs. Capital Surgical Company Pvt. Ltd. & Ors.                                            | Adv. Jitender Chaudhary and Snilpa Chohan  |                                |                                 |         |
| <b>Ordinary List</b>      |                        |                    |                                                                                                                                        |                                      |                                                                                                      |                                            |                                |                                 |         |
| 201                       | IB-79/ND/2022          | Main Matter        | Further Consideration                                                                                                                  | U/s 7 of IBC Code,2016               | Jumbo Chemical and Allied Industries Private Limited Vs Arjun Industries Limited                     | Adv. Abhishek Anand                        |                                |                                 |         |
|                           | 1                      | IA-71/ND/2024      | For approval of Resolution Plan approved by the committee of creditors                                                                 | U/s 30 (6)                           | Vikram Bajaj (RP)                                                                                    | Adv. Aditya Gauri                          |                                |                                 |         |
|                           | 2                      | IA - 5187/ND/2024  | Pass an order holding that the Respondent, has violated the provision under Section 17(1)d of the Insolvency and Bankruptcy Code, 2016 | U/S 60(5)                            | Mr. Vikram Bajaj RP vs. Ms.Mausumi Bhattacharjee                                                     | Adv. Aditya Gauri                          |                                |                                 |         |

|     |                |                   |                                                                                                                                                                                                                      |                        |                                                                                                                    |                             |  |  |             |
|-----|----------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------|--|--|-------------|
|     | 3              | IA - 4583/ND/2024 | Declare that the property situated at Plot No. SP3- II(BI) and SP3-II(B2) situated at Industrial Area, Khushkhara, Rajasthan are not assets I property of the Corporate Debtor and cannot be part of resolution plan | U/s 60(5)              | Rajasthan State Industrial Development & Investment Corporation Limited Vs Vikram Bajaj IRP                        | Adv. Anuj Bhandari          |  |  |             |
|     | 4              | IA-540/ND/2025    | Kindly allow the Impleadment of Applicant being a proper and necessary party in IA No. 5950 of 2024 for proper adjudication of dispute inter alia Plots                                                              | U/s 60 (5)             | Jumbo Chemical And Allied Industries Pvt. Ltd. Vs. Rajasthan State Industrial Development & Investment Corporation | Adv. Law Office of A. Anand |  |  |             |
|     | 5              | RA-29/ND/2025     | Set aside the impugned order dated 13.02.2025, restore LA No. 685/2025 in CP (IB) 79/2022 to its original position for hearing and adjudication                                                                      | U/Rule 11              | Ms. Mausumi Bhattacharjee                                                                                          | Adv.Karunesh Tandon         |  |  |             |
| 202 | IB-143/ND/2022 | Main Matter       | Further Consideration(05.11.2024)                                                                                                                                                                                    | U/s 7 of IBC, 2016     | Orbis Trusteeship Services Private Limited Vs. Nopal Buildtech Private Limited                                     | Adv. Sumesh Dhawan          |  |  | Time:-02:30 |
|     | 1              | IA-2874/ND/2025   | Seeking Withdrawal Of Petition Filed By Orbis Trusteeship Services Pvt. Ltd. For The Initiation Of CIRP Of Nopal Buildtech Pvt. Ltd.                                                                                 | U/s 12A                | Mr. Hemant Sethi, IRP of Nopal Buildtech Pvt. Ltd.                                                                 | Adv. Aditya Gauri           |  |  |             |
| 203 | IB-755/ND/2022 | Main Matter       | Liquidation                                                                                                                                                                                                          | U/s 7 of IBC Code,2016 | Kotak Mahindra Prime Ltd. Vs. Blaze Promoters Pvt. Ltd.                                                            | Adv. Amit Mahaliyan         |  |  |             |
|     | 1              | IA-5113/ND/2023,  | Appoint Mr. Raj Kumar Dad as the Liquidator of the CD.                                                                                                                                                               | u/s 33(2)              | Raj Kumar Dad (RP) (Applicant)                                                                                     | Adv. Raj Kumar Dad          |  |  |             |
| 204 | IB-477/ND/2023 | Main Matter       | Amitted 06.03.2025                                                                                                                                                                                                   | U/s 7 of (IBC)         | IndusInd Bank Ltd. Vs. Feedback Energy Distribution Co. Ltd.                                                       | SNG. Partners               |  |  |             |
|     | 1              | IA-4618/ND/2024   | Seeking Restoration of the Bank Guarantee Invoked By Tripura State Electricity                                                                                                                                       | U/s 60(5)              | Mr. Ankit Goel Vs. Tripura State Electricity                                                                       | Adv. Shalya Agarwal         |  |  |             |
|     | 2              | IA-1293/ND/2025   | Pass an order extending the CIRP of the Corporate Debtor by a period of 60 days beyond 450 days w.e.f. 08.03.2025                                                                                                    | U/s 12                 | Ankit Goel , RP of M/S Feedback Energy Distribution Company Ltd.                                                   | Adv. Ritika Gaur            |  |  |             |
|     | 3              | IA-1935/ND/2025   | Direct the Respondent to comply with the DFA dated 01.07.2020 and further provide information and documents as sought by the Applicant under Para 18-20                                                              | U/s 19(2)              | Ankit Goel, RP of M/ s Feedback Energy Distribution Company Ltd. Vs. Tripura State Electricity Corporation Limited | Adv. Ritika Gaur            |  |  |             |
|     | 4              | IA-2253/ND/2025   | Seeking Extension of 60 Days, w.e.f of 07.05.2025                                                                                                                                                                    | U/s 12(2)              | Ankit Goel, RP of M/s Feedback Energy Distribution Company Ltd.                                                    | Adv. Ritika Gaur            |  |  |             |
|     | 5              | IA-2673/ND/2025   | Seeking permission to publish Form G of the Corporate Debtor for the 3rd time                                                                                                                                        | U/s 60(5)              | Ankit Goel, Resolution Professional M/S Feedback Energy Distribution Company Ltd.                                  | Adv. Ritika Gaur            |  |  |             |

|                        |                          |                                                                                                                                                                                                                                                                                                                                |                                                        |                                                                 |                                                                                     |                                 |  |  |
|------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------|--|--|
| 6                      | IA-1968/ND/2025          | Pass an Order condoning the Delay in filing Claims by the Creditors of the Corporate Debtor before the Applicant during the CIRP of the Corporate Debtor in accordance with Regulation 13 (1C) (b) (ii) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation, 2016 | U/s 60(5)                                              | Ankit Goel, RP of M/S Feedback Energy Distribution Company Ltd. | Adv. Ms. Ritika Gaur                                                                |                                 |  |  |
| 7                      | IA-3278/ND/2025          | seeking extension of 60 days w.e.f. 06.07.2025 in the Corporate Insolvency Resolution Process                                                                                                                                                                                                                                  | U/sec 12(2) R/W Sec 60(5)                              | A,nkit Goel<br>R,esolution Professional                         | Adv. Ritika Gaur                                                                    |                                 |  |  |
| Companies Act Matters- |                          |                                                                                                                                                                                                                                                                                                                                |                                                        |                                                                 |                                                                                     |                                 |  |  |
| 205                    | CP-09/271/ND/2019        | Main Matter                                                                                                                                                                                                                                                                                                                    | Further Consideration                                  | Rule 11 of NCLT Sec. 271-273                                    | M/s. Riken Corporation And M/s. Amtek Riken Casting Pvt. Ltd.                       | Khaitan & Co. LLP               |  |  |
| 205 A                  | CP CA (CAA) - 45/ND/2025 | (2nd Motion)                                                                                                                                                                                                                                                                                                                   | CA (CAA) -87/ND/2024 Allowed on 28.04.2025             | Sec-230-232                                                     | Bajrang Polyplast Pvt.ltd                                                           | Rekha Mittal                    |  |  |
| 206                    | CP CA(CAA)-46/ND/2024    | (2nd Motion)                                                                                                                                                                                                                                                                                                                   | CA(CAA)06/ND/2024 (1st Motion)Allowed                  | Sec. 230-232                                                    | Bird Consulancy Services Pvt. Ltd.                                                  | Adv.Khaitan & Co LLP            |  |  |
| 1                      | IA- 218/ND/2024          | FOR RECALL OF ORDER DATED 22.03.2024                                                                                                                                                                                                                                                                                           | U/Rule- 11                                             | Smriti Bhatia Vs. Bird Consultancy Services Pvt. Ltd.           | Adv. Swapnil Gupta                                                                  |                                 |  |  |
| 2                      | IA-147/ND/2025           | Reject C.A. (CAA) NO. 06 OF 2024 and C.P. (CAA) NO. 46 OF 2024 filed by the Transferor and Transferee Company                                                                                                                                                                                                                  | U/Rule 11                                              | Smriti Bhatia Vs. M/S Bird Consultancy Services Private Limited | Adv. Swapnil Gupta                                                                  |                                 |  |  |
| 207                    | CA(CAA)-100/ND/2024      | Main Matter                                                                                                                                                                                                                                                                                                                    | Notice/admission                                       | U/s 230-232                                                     | Alfa Flexitubes Private Limited                                                     | Adv. Saxena & Saxena Law Chambe |  |  |
| 208                    | CP CA(CAA)-38/ND/2024    | 2nd Motion                                                                                                                                                                                                                                                                                                                     | CA-(CAA)-67/ND/2023 1st Motion Allowed on-22.03.2024   | Sec-230-232                                                     | Techpark Maintenance Services Pvt. Ltd. and Ors.                                    | CS Ashok Kumar Verma            |  |  |
| 209                    | CP CA(CAA)-13/ND/2025    | 2nd Motion                                                                                                                                                                                                                                                                                                                     | CA(CAA)-33/ND/2024 Allowed on 20.12.2024               | Sec-230-232                                                     | Navitas Green Power (Fuel Management Pvt.Ltd.)With Ncubate India Services Pvt. Ltd. | Adv. Sanjeev Jain               |  |  |
| 210                    | CP CA(CAA)-2/ND/2025     | 2nd Motion                                                                                                                                                                                                                                                                                                                     | CA-(CAA)-55/ND/2023 (1st Motion) Allowed on 17.12.2024 | U/s 230-232                                                     | MVA Finance Private Limited and Inder Overseas Private Limited and Ors.             | Adv. Sumit Garg                 |  |  |
| 1                      | IA-185/ND/2025           | For rectification of the order passed by this Hon' ble Tribunal on 13.05.2025 in CP (CAA)/2 /ND /2025                                                                                                                                                                                                                          | U/Rule 11                                              | Arihant Exports Private Limited                                 | Adv. Honey Satpal                                                                   |                                 |  |  |
| 211                    | Appeal-706/59/ND/2019    | Main Matter                                                                                                                                                                                                                                                                                                                    | Showing Appeal But in Petition mentioned as sec 59     | Sec. 58(3) Sec. 59 Sec. 213                                     | Ravi Nandan Sahaya V/s. Bharat Nidhi Ltd.                                           | S. M. Sundaram                  |  |  |
| 1                      | CA-466/ND/2021           | For Substitution of the Applicant in place of the Petitioner upon death of the Petitioner                                                                                                                                                                                                                                      | U/rule 53                                              | Tanya Verma Vs. Bharat Nidhi Ltd.                               | S. M. Sundaram                                                                      |                                 |  |  |

|     |                        |                    |                                                                                                                                                                                       |                                    |                                                                              |                         |  |  |  |
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| 212 | Appeal-117/252/ND/2024 | Main Matter        | Notice/admission                                                                                                                                                                      | Sec. 252 (1) Comp. Act.            | Income Tax Officer Vs. Roc                                                   | Adv Puneet Rai          |  |  |  |
| 213 | Appeal-66/ND/252/2025  | Main Matter        | Notice/admission                                                                                                                                                                      | U/s 252                            | Income Tax Officer, Ward 13 (3), New Delhi Vs. Registrar Of Companies, Delhi | Adv. Shlok Chandra      |  |  |  |
| 214 | Appeal -35/252/ND/2025 | Main Matter        | Notice/admission                                                                                                                                                                      | U/s 252                            | M/s. Shopeshop Global Exim Private Limited Vs. Registrar of Companies Delhi  | Adv. Vishal Wason       |  |  |  |
| 215 | Appeal-13/252/ND/2025  | Main Matter        | Notice/admission                                                                                                                                                                      | U/s 252(1)                         | Pragati Steel Builders Private Limited Vs Registrar of Companies             | CS Avnish Sharma        |  |  |  |
| 216 | CP-76/241-242/ND/2025  | Main Matter        | Notice/admission                                                                                                                                                                      | U/s 241(1)                         | Narender Garg Vs. SAFESEC Securities & Finance Pvt. Ltd.                     | Adv. Naveen Sharma      |  |  |  |
| 217 | CP-118/241-246/PB/2020 | Main Matter        | Further Consideration                                                                                                                                                                 | 241-246                            | Shivraj Gupta and Anr. Vs. Hansraj Gupta & Co. Pvt. Ltd & Ors.               | Pooja M. Saiga          |  |  |  |
|     | 1                      | CA-245/ND/2022     | Interim Stay on Implementation of proposed Resolutions                                                                                                                                | Rule-11                            | Jayant Gupta Vs. Hansraj Gupta & Co. Pvt. Ltd. & Ors.                        | Pooja M Saigal          |  |  |  |
|     | 2                      | CA-428/ND/2022     | Legal representatives /heirs of the deceased RespondentNo. 5                                                                                                                          | Rule-11                            | Jaynt Gupta Vs. Hansraj Gupta & Ors.                                         | Pooja M Saigal          |  |  |  |
|     | 3                      | IA-112/ND/2022     | seeking Impleadment of the legal heirs of deceased Petitioner No. 1 as his legal representatives.                                                                                     | Rule-11                            | Ms. Arti Kirloskar Vs. Hansraj Gupta & Co. Pvt. Ltd & Ors.                   | Adv. Pratiksha Sharma   |  |  |  |
| 218 | CP-80/241-242/ND/2024  | Main Matter        | Notice/admission                                                                                                                                                                      | Sec. 241(1),Sec. 242(4)            | Ajay Pal Singh Vs. Greenwood Hotels Ltd.                                     | Adv. Pooja Singh        |  |  |  |
|     | 1                      | Contt - 20/ND/2024 | Allow the Present Application and Direct The respondents Not to Act on the Resolution Passed in the EGM Convened on 6.5.2024 Till the Out come of The Company Petition No. 80 of 2024 | Under/s 425                        | Ajay Pal Singh Vs Greenwood Hotels Limited                                   | Adv. Pooja Singh        |  |  |  |
| 219 | CP-56/241-242/ND/2023  | Main Matter        | Further Consideration                                                                                                                                                                 | Sec. 241/242 Comp. Act.            | Smt. Vandana Agarwal Vs. Snow View Plyfood Pvt. Ltd. & Others                | CS Shivam Rastogi       |  |  |  |
| 220 | CP-94/241-242/ND/2024  | Main Matter        | Notice/admission                                                                                                                                                                      | Sec. 213, 241(1),Sec. 242(4) & 244 | Pooja Sadana Vs. YSP Hotels and Resorts Pvt. Ltd.                            | IC Universal Legal      |  |  |  |
|     | 1                      | IA-293/ND/2024     | Allow the present application and implead Proposed Respondent No. 4-8 as Respondents to the Company Petition No. 94 of 2024                                                           | U/s 11                             | Pooja Sadana Vs Ysp Hotels & Resorts Private Limited                         | Adv. IC Universal Legal |  |  |  |

|                            |                        |                 |                                                                                                                                                             |                     |                                                               |                         |  |  |  |
|----------------------------|------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------|-------------------------|--|--|--|
|                            | 2                      | IA-294/ND/2024  | Grant stay of change in the Directorship & shareholding and disposal of assets of the Respondent No. 1 Company                                              | U/s 242(4)          | Pooja Sadana Vs Ysp Hotels & Resorts Private Limited          | Adv. IC Universal Legal |  |  |  |
| 221                        | CP-181/441/ND/2021     | Main Matter     | Further Consideration                                                                                                                                       | Sec. 441 Co. Act.   | BG LNG Regas India Pvt.Ltd. & Ors. Vs. RoC                    | Adv A.K Kuchhal         |  |  |  |
| 222                        | CP-139/241-242/PB/2021 | Main Matter     | Further Consideration                                                                                                                                       | Sec. 241(1),242 (4) | Babita Singh & Ors. Vs. Adaab Hotels Ltd. & Ors.              | Mrinal Choudhary        |  |  |  |
|                            | 1                      | IA-9/ND/2021    | Dismiss the Petition as the same is barred by limitation.                                                                                                   | U/s 433             | Rajiv Choudhary Vs. Babita Singh                              | Adv. Vishal Ganda       |  |  |  |
| 223                        | CP-43/241-242/ND/2023  | Main Matter     | Further Consideration                                                                                                                                       | 241-242             | Sh. Sanjeev Dhingra Vs. Dhingra Properties Pvt. Ltd. and Ors. | Adv. NPS Chawla         |  |  |  |
|                            | 1                      | IA-68/ND/2024,  | Seeking appropriate direction against Respondents                                                                                                           | u/s 242(4)          | Sanjeev Dhingra Vs. Dhingra Properties Pvt. Ltd. & Ors.       | Ashwarya Sinha          |  |  |  |
|                            | 2                      | IA-60/ND/2023   | Grant a waiver of requirement u/s 244(1)(A)                                                                                                                 | (u/s 244(1)(A)      | Sh. Sanjeev Dhingra Vs. Dhingra Properties Pvt. Ltd. and Ors. | Adv. Vishal Ganda       |  |  |  |
|                            | 3                      | CA -57/ND/2024  | Seeking Dismissal of the Company Petition Bearing Cp No. 43 of 2023.                                                                                        | U/s 433             | Rajeev Dhingra Dhingra Vs. Sanjeev Dhingra                    | Adv. Vishal Ganda       |  |  |  |
| 224                        | CP-51/ND/2024          | Main Matter     | Notice/admission                                                                                                                                            | Sec. 59 Co. Act.    | Kaashvi Pamsher Vs. Shanivi Constructions Pvt. Ltd.           | Adv. Pallav Mongia      |  |  |  |
| 225                        | CP-136/ND/2024         | Main Matter     | Further Consideration                                                                                                                                       | U/s 59 Co.Act       | Kanak Samir Chheda Vs. Bss Buildcon Pvt. Ltd.                 | Adv. Aaditya Vijaykumar |  |  |  |
| <b>IBC SEC-95 &amp; 94</b> |                        |                 |                                                                                                                                                             |                     |                                                               |                         |  |  |  |
| 226                        | IB-690/ND/2024         | Main Matter     | Notice/admission                                                                                                                                            | U/s 95(I)           | Punjab National Bank vs. Smt. Nazia Yusuf Izzuddin            | Adv.Ekta Choudhary      |  |  |  |
|                            | 1                      | IA-6164/ND/2024 | To accept the report filed under section 99 of IBC, 2016, which contains the observations and suggestions for admitting main Company Petition filed u/ s 95 | U/s 99              | Aakriti Sood RP                                               | Aakriti Sood RP         |  |  |  |
| 227                        | IB-688/ND/2024         | Main Matter     | Notice/admission                                                                                                                                            | U/s 95(I)           | Punjab National Bank vs. Shri Sachin Upadhayay                | Adv.Ekta Choudhary      |  |  |  |
|                            | 1                      | IA-6226/ND/2024 | To accept the report filed under section 99 of IBC, 2016, which contains the observations and suggestions for admitting main Company Petition filed u/ s 95 | U/s 99              | Aakriti Sood                                                  | Aakriti Sood            |  |  |  |

  
**Ms.Sureksha Garg**  
 Court Officer

**Note:** Although all efforts have been made to give accurate information in the Cause List the possibility of an inadvertent error cannot be ruled

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