

NCLT, KOCHI BENCH

Daily Orders – Draft

Date: 2nd Nov 2021

In the Bench of: **Shri Ashok Kumar Borah, Member (Judicial) &
Shri Anil Kumar B, Member (Technical)**

1 IA(IBC)/159/KOB/2021 IN TIBA/9/KOB/2019

This is an IA filed by the erstwhile Resolution Professional / Chairman of the Monitoring Committee of Palm Lagoon Backwater Resorts Pvt Ltd (Corporate Debtor) under Section 33(3) and 33(4) of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 seeking implementation of the Order dated 21.09.2021 of the Hon'ble NCLAT directing this Tribunal to order the Liquidation of the Corporate Debtor.

Learned counsel for the Applicant Shri Vijay V. Paul appeared through VC.

Heard the arguments of Shri Vijay V. Paul and perused the Order of the Hon'ble NCLAT dated 21.09.2021.

Reserved for Orders.

2 IA(IBC)/160/KOB/2021 IN IBA/258/CB/2019

This is an IA filed by the applicant Hindustan Petroleum Corporate Ltd against the Respondent/Liquidator under Section 42 of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 seeking the following reliefs:

- (i) Condone the delay of 105 days in submission of the claim before the Respondent
- (ii) Issue a direction to the Respondent to consider/reconsider the claim submitted by the Applicant.

Learned counsel for the Applicant Shri Pranoy Harilal appeared through VC. Learned Liquidator Shri Ravindra Chaturvedi appeared through VC along with his learned counsel Shri Kunal Kunungo.

The liquidator has not raised any objection against this IA.

Heard both sides and perused the records.

Reserved for Orders.

3 MA(IBC)/26/KOB/2021 IN IBA/258/CB/2019

This is an MA filed by the Applicant Shri Jose K.J. under Section 42 of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 against the decision dated 21.08.2020 of the Liquidator.

Learned counsel for the Applicant Smt Latha K appeared through VC. Learned Liquidator Shri Ravindra Chaturvedi appeared through VC along with his learned counsel Shri Akhil Suresh.

The liquidator is directed to file his reply against this IA within 7 days.

List on 24.11.2021 for hearing.

4 MA(IBC)/27/KOB/2021 IN IBA/258/CB/2019

This is an MA filed by the Applicant Shri Nalankunju under Section 42 of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 against the decision dated 21.08.2020 of the Liquidator.

Learned counsel for the Applicant Smt Latha K appeared through VC. Learned Liquidator Shri Ravindra Chaturvedi appeared through VC along with his learned counsel Shri Akhil Suresh.

The liquidator is directed to file his reply against this IA within 7 days.

List on 24.11.2021 for hearing.

5 MA(IBC)/28/KOB/2021 IN IBA/258/CB/2019

This is an MA filed by the Applicant Shri Nobi K.S. under Section 42 of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 against the decision dated 21.08.2020 of the Liquidator.

Learned counsel for the Applicant Smt Latha K appeared through VC. Learned Liquidator Shri Ravindra Chaturvedi appeared through VC along with his learned counsel Shri Akhil Suresh.

The liquidator is directed to file his reply against this IA within 7 days.

List on 24.11.2021 for hearing.

6 MA(IB)/22/KOB/2021 IN IBA/258/CB/2019

This is an MA filed by the Applicant Shri P.X.Xavier. under Section 42 of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 against the decision dated 21.08.2020 of the Liquidator.

Learned counsel for the Applicant Smt Latha K appeared through VC. Learned Liquidator Shri Ravindra Chaturvedi appeared through VC along with his learned counsel Shri Akhil Suresh.

Reply has already been filed by the liquidator against this IA.

Pleadings complete. List on 24.11.2021 for hearing.

7 MA(IB)/23/KOB/2021 IN IBA/258/CB/2019

This is an MA filed by the Applicant Shri Sanil P.D.. under Section 42 of the IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 against the decision dated 21.08.2020 of the Liquidator.

Learned counsel for the Applicant Smt Latha K appeared through VC. Learned Liquidator Shri Ravindra Chaturvedi appeared through VC along with his learned counsel Shri Akhil Suresh.

Reply has already been filed by the liquidator against this IA.

Pleadings complete. List on 24.11.2021 for hearing.

8 IA/50/KOB/2019 IN TCP/34/KOB/2019

Learned counsel for the applicant Shri George G. Poothicote appeared through VC. Learned counsel for R1 & R2 Shri Renjith Rajappan, and learned PCS for R11, R15, R16, R17 and R18 Shri PP Zibi Jose appeared through VC.

Since pleadings are complete in the main TCP, this IA will be heard along with the final hearing of the TCP.

List on 26.11.2021 for hearing.

9 IA/66/KOB/2020 IN TCP/34/KOB/2019

Learned counsel for the applicant Shri Renjith RaJAppan appeared through VC. Learned counsel for R1 & R2 Shri George G. Poothicote, learned PCS for R4, R8, R9, R10 & R11 Shri PP Zibi Jose appeared through VC. None appeared for other respondents

Since pleadings are complete in the main TCP, this IA will be heard along with the final hearing of the TCP.

List on 26.11.2021 for hearing.

10 IA/67/KOB/2020 IN TCP/34/KOB/2019

Learned counsel for the applicant Shri Renjith Rappan appeared through VC. Learned counsel for R1 & R2 Shri George G. Poothicote, learned PCS for R4, R8,

R9, R10 & R11 Shri PP Zibi Jose appeared through VC. None appeared for other respondents.

Since pleadings are complete in the main TCP, this IA will be heard along with the final hearing of the TCP.

List on 26.11.2021 for hearing.

11 IA/204/KOB/2020 IN TCP/34/KOB/2019

Learned counsel for the applicant Shri George G. Poothicote as well as for R1 & R2 Shri Renjith Rajappan, appeared through VC. None appeared for R3

Since pleadings are complete in the main TCP, this IA will be heard along with the final hearing of the TCP.

List on 26.11.2021 for hearing.

12 CA/9/KOB/2021 IN TCP/34/KOB/2019

Learned counsel for the applicant Shri Renjith Rappan appeared through VC. Learned counsel for R1 Shri Vinod PV and learned counsel for R2 & R3 Shri George G. Poothicote also appeared through VC. None appeared for R4 & R5. .

Since pleadings are complete in the main TCP, this CA will be heard along with the final hearing of the TCP.

List on 26.11.2021 for hearing.

13 IA(C/ACT)/17/KOB/2021 IN TCP/34/KOB/2019

Learned counsel for the Applicant Shri Renjith Rajappan appeared through VC. Learned counsel for R1 & R2 Shri George G. Poothicote and learned counsel for R4, R9, R10 & R11 Shri Zibi Jose appeared through VC. None appeared for R3, R5, R6 & R7.

Shri Renjith Rajappan sought an adjournment to enable his senior to argue the matter.

At the request of the learned counsel for the applicant, the case is adjourned to 24.11.2021.

14 TCP/34/KOB/2019

Learned counsel for the Petitioner Shri Renjith Rajappan appeared through VC. Learned counsel for R1 & R2 Shri George G. Poothicote and learned counsel for R4, R9, R10 & R11 Shri Zibi Jose appeared through VC. None appeared for R3, R5, R6 & R7.

Shri Renjith Rajappan sought an adjournment to enable his senior to argue the matter.

At the request of the learned counsel for the applicant, the case is adjourned to 24.11.2021.

Learned counsel for the parties are directed to file their written submissions in brief (limiting 3-4 pages) at least 2 days before the above date.

Registry is directed to issue copy of this order to the learned counsel of both the parties through Email.

15 TIA/131/KOB/2020 (CA/228/CHENNAI BENCH) IN TCP/53/KOB/2019 (CP/33/2017/CHENNAI BENCH)

Learned counsel for the Petitioner Shri Renjith Rajappan appeared through VC. Learned counsel for R1 Shri George G. Poothicote appeared through VC. None appeared for R2 & R3.

At the request of learned counsel for both the parties, the case is adjourned to 24.11.2021.

16 TCP/53/KOB/2019 (CP/33/17)

None appeared for the Petitioner. Learned counsel for R1 Shri George G. Poothicote and learned counsel for R2 Shri Renjith Rajappan also appeared through VC.

Pleadings are complete.

At the request of learned counsel for the respondents, the case is adjourned to 24.11.2021.

Learned counsel for the parties are directed to file their written submissions in brief (limiting 3-4 pages) at least 2 days before the above date.

Registry is directed to issue copy of this order to the learned counsel of both the parties through Email.

17 CP/47/KOB/2020

Learned counsel for the Petitioner Shri Renjith Rajappan as well as ;learned PCS for R1 & R2 Shri Zibi Jose appeared through VC.

Shri Renjith Rajappan sought an adjournment. It is seen that the petitioner who filed the petition is seeking adjournments again and again. It is presumed that the petitioner is not interested to prosecute the matter. However, **the petitioner is given final opportunity to argue the matter**, if he is interested to prosecute the matter. **No further adjournment will be granted.**

At the request of the learned counsel for the applicant, the case is adjourned to 03.12.2021.

Learned counsel for the parties are directed to file their written submissions in brief (limiting 3-4 pages) at least 2 days before the above date.

Registry is directed to issue copy of this order to the learned counsel of both the parties through Email.

18 CP/48/KOB/2020

Learned counsel for the Petitioner Shri Renjith Rajappan as well as ;learned PCS for R1 & R2 Shri Zibi Jose appeared through VC.

Shri Renjith Rajappan sought an adjournment. It is seen that the petitioner who filed the petition is seeking adjournments again and again. It is presumed that the petitioner is not interested to prosecute the matter. However, **the petitioner is given final opportunity to argue the matter**, if he is interested to prosecute the matter. **No further adjournment is granted.**

At the request of the learned counsel for the applicant, the case is adjourned to 03.12.2021.

Learned counsel for the parties are directed to file their written submissions in brief (limiting 3-4 pages) at least 2 days before the above date.

Registry is directed to issue copy of this order to the learned counsel of both the parties through Email.

19 IA(C/ACT)/9/KOB/2021 IN CP/18/KOB/2020

This is an IA filed by the applicant/petitioner under Rule 32 of the NCLT Rules 2016 seeking direction to maintain status quo of the affairs of the R1 Company.

Since pleadings are complete in the main CP, this IA will be heard along with the hearing of the main CP.

List on 15.11.2021.

20 CP/18/KOB/2020

Learned counsel for the Petitioner Smt Deepthi Susan George, learned counsel for R2 Shri Cyriac Tom and learned counsel for R1, R3 and R5 Shri Aditya Venugopalan appeared through VC.

Smt. Deepthi Susan George argued for some time and concluded her arguments.

Shri Cyriac Tom sought an adjournment to enable his senior to argue the matter. It appears from records that Vakalath has not been filed by Shri Aditya Venugopalan,. Shri Venugopal submitted that he would file the vakalath within two days. His submission is recorded.

List on 15.11.2021 for the arguments of the Respondents.

Learned counsel for the parties are directed to file their written submissions in brief (limiting 3-4 pages) at least 2 days before the above date.

Registry is directed to issue copy of this order to the learned counsel of both the parties through Email.

21 CP/22/KOB/2020

Adv Shri Rohan appeared on behalf of the learned counsel for the Petitioner Shri Aswin Gopakumar and sought an adjournment. Learned counsel for R3 & R4 Shri Nikhil K. Narayanan and learned counsel for R2 Shri Yogindunath also appeared through VC.

Pleadings are complete.

At the request of the learned counsel for the petitioner, the case is adjourned to 09.12.2021 for hearing.

Learned counsel for the parties are directed to file their written submissions in brief (limiting 3-4 pages) at least 2 days before the above date.

Registry is directed to issue copy of this order to the learned counsel of both the parties through Email.