

NCLT, KOCHI BENCH

Daily Orders – For reference purpose only

Date 7th FEB 2022

Coram: **Shri Anil Kumar B.**
Hon'ble Member (Technical)

Shri Ashok Kumar Borah
Hon'ble Member (Judicial)

1 CP(IB)/6/KOB/2022

This Petition has been filed under Section 7 of the IBC, 2016 read with Rule 4 of IB (AAA) Rules, 2016 by the Financial Creditor Kosamattam Finance Limited with the prayer to initiate Corporate Insolvency Resolution process against the Corporate Debtor Mangomeadows Agricultural Pleasure Land (P) Limited.

Learned counsel for the Financial Creditor Shri P.Sathisan appeared through VC.

The petitioner is directed to issue fresh notice to the Corporate Debtor through Registered Post with A/D / Speed post and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the Corporate Debtor through email. The Corporate Debtor are directed to file their Reply Statement within two weeks with a copy served to the Financial Creditor in advance, who may file the rejoinder, if any, before the next date fixed.

List on 28.02.2022 for hearing.

2 IA(IBC)/22/KOB/2022 IN IA(IBC)/196/KOB/2021

This IA has been filed under Rule 11 of the NCLT Rules, 2016 by the Resolution Professional for amendment of IA(IBC)/196/KOB/2021 in IBA/13/KOB/2020

Learned counsel for the RP Shri Vinod PV appeared through VC.

The RP is directed to issue notice to the respondents through Registered Post with A/D / Speed post and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents through email.

Respondents are directed to file their Reply Statement within a week with a copy served to the RP in advance.

List on 17.02.2022 for hearing.

3 REPORT/25/KOB/2022 in TIBA/09/KOB/2019

This Report has been filed by the liquidator under Regulation 5(1)(e) of the IBBI (Liquidation Process) Regulations, 2016 in the matter of liquidation process against the Corporate Debtor Palm Lagoon Backwater Resorts Pvt Ltd.

Learned Liquidator Shri Velu appeared in person through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in TIBA/09/KOB/2019.

3 REPORT/26/KOB/2022 in TIBA/09/KOB/2019

This Report has been filed under by the liquidator under Regulation 34(1)(e) of the IBBI (Liquidation Process) Regulations, 2016 with regard to the Asset Memorandum in the matter of liquidation process against the Corporate Debtor Palm Lagoon Backwater Resorts Pvt Ltd.

Learned Liquidator Shri Velu appeared in person through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in TIBA/09/KOB/2019.

3 REPORT/27/KOB/2022 in TIBA/09/KOB/2019

This Report has been filed by the liquidator under Regulation 31 of the IBBI (Liquidation Process) Regulations, 2016 with regard to the list of stakeholders in the matter of liquidation process against the Corporate Debtor Palm Lagoon Backwater Resorts Pvt Ltd.

Learned Liquidator Shri Velu appeared in person through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in TIBA/09/KOB/2019.

3 REPORT/28/KOB/2022 in TIBA/09/KOB/2019

This Report has been filed under Regulation 13 of the IBBI (Liquidation Process) Regulations, 2016 by the liquidator in the matter of liquidation process against the Corporate Debtor Palm Lagoon Backwater Resorts Pvt Ltd.

Learned Liquidator Shri Velu appeared in person through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in TIBA/09/KOB/2019.

4 REPORT/29/KOB/2022 IN CP(IB)/30/KOB/2021

This Report has been filed by the Interim Resolution Professional under Regulation 13 of the IBBI (CIRP) Regulations 2016 with regard to the List of Creditors in the matter of CIR Process against the Corporate Debtor ITMA Hotels India Pvt Ltd.

Learned IRP Shri Kizhakkekara Kuriakose Jose appeared through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in CP(IB)/30/KOB/2021.

4 REPORT/30/KOB/2022 IN CP(IB)/30/KOB/2021

This Report has been filed by the Interim Resolution Professional under Regulation 17 of the IBBI (CIRP) Regulations 2016 regarding the Constitution of Committee of Creditors in the matter of CIR Process against the Corporate Debtor ITMA Hotels India Pvt Ltd.

Learned IRP Shri Kizhakkekara Kuriakose Jose appeared through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in CP(IB)/30/KOB/2021.

5 REPORT/31/KOB/2022 in IBA/23/KOB/2019

This Report has been filed under by the liquidator under Regulation 15(1)(a) of the IBBI (Liquidation Process) Regulations, 2016 in the matter of liquidation process against the Corporate Debtor Dewa Projecs Pvt Ltd.

Learned Liquidator Shri Vinod PV appeared in person through VC.

Perused the Report. Report is taken on Record. Registry is directed to place the report in IBA/23/KOB/2019.

6 REPORT/32/KOB/2022 in IBA/240/(IB)/2019

This Report has been filed under by the liquidator under Regulation 35(1)(n) of the IBBI (Liquidation Process) Regulations, 2016 in the matter of liquidation process against the Corporate Debtor Raihan Healthcare Pvt Ltd.

None appeared for the Liquidator.

Perused the Report. Report is taken on Record. Registry is directed to place the report in IBA/240/(IB)/2019.

7 IBA/34/KOB/2020

Learned counsel for the Operational Creditor Shil Akhil Suresh as well as learned counsel for the Corporate Debtor Shri Sharad Kodianthara appeared through VC.

Both sides stated that the Hon'ble High Court of Kerala has set aside all further proceedings in this IBA as it is not maintainable.

Both the parties are directed to submit the copy of the Judgement of the Hon'ble High Court of Kerala within three weeks.

Shri Akhil Suresh submitted that he will be filing an appeal before NCLAT against the Judgement of the Hon'ble High Court of Kerala.

In view of the above, let this matter be adjourned **Sine Die**. Both parties are at liberty to approach this Tribunal, in due course, if they so advised.

7 MA/187/KOB/2020 IN IBA/34/KOB/2020

Learned counsel for the Operational Creditor Shil Akhil Suresh as well as learned counsel for the Corporate Debtor Shri Sharad Kodianthara appeared through VC.

Both sides stated that the Hon'ble High Court of Kerala has set aside all further proceedings in this IBA as it is not maintainable.

Both the parties are directed to submit the copy of the Judgement of the Hon'ble High Court of Kerala within three weeks.

Shri Akhil Suresh submitted that he will be filing an appeal before NCLAT against the Judgement of the Hon'ble High Court of Kerala.

In view of the above, let this matter be adjourned **Sine Die**. Both parties are at liberty to approach this Tribunal, in due course, if they so advised.

8 CP/36/KOB/2020

Learned counsel for the petitioner Shri Ashok B. Shenoy as well as learned counsel for the Respondent Shri C.A.Anupaman appeared through VC.

Shri Anupaman sought one more months' time to file the Reply Statement stating that the respondent is still in the Jail and the bail application is posted for hearing on 21.02.2022.

Respondent is directed to file the Reply Statement within 4 weeks.

List on 04.03.2022.

9 COMPANY APPEAL/19/KOB/2021

This appeal has been filed under Section 59 of Companies Act, 2013 read with Rule 70 of NCLT Rules, 2016 by Shri K.K.Chandran and another against Prime Habitats Pvt Ltd and 2 others for rectification of Register of Members of the R1 Company.

Learned counsel for the Appellants Shri Raj Carolin V as well as learned counsel for R1 to R3 Shri AM Sridharan appeared through VC.

Shri Raj Carolin sought an adjournment to enable him to file the rejoinder. Allowed. He is given the last and final opportunity to file the rejoinder on or before 15.02.2022.

There shall be no further adjournment in this case.

List on 17.02.2022 for final hearing.