

NCLT, KOCHI BENCH**Daily Orders – Draft**

Date: 22nd Sept 2021

In the Bench of: **Shri Ashok Kumar Borah, Hon'ble Member (Judicial) &
Shri Rajesh Sharma, Hon'ble Member (Technical)**

1 MA(IBC)/18/KOB/2021 IN IBA/258/CB/2019

Learned counsel for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC.

This is an appeal under section 42 of the IBC, 2016 filed by the applicant Shri Antony PT against the Liquidator alleging that the liquidators act of rejecting and disallowing the appellants claim is totally erroneous.

Learned liquidator submitted that he will file the reply against this MA within 7 days. He may do so positively within 7 days.

List on 30.09.2021 for hearing.

2 MA(IBC)/19/KOB/2021 IN IBA/258/CB/2019

Learned counsel for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC.

This is an appeal under section 42 of the IBC, 2016 filed by the applicant Shri Baiju R against the Liquidator alleging that the liquidators act of rejecting and disallowing the appellants claim is totally erroneous.

Learned liquidator submitted that he will file the reply against this MA within 7 days. He may do so positively within 7 days.

List on 30.09.2021 for hearing.

3 MA(IBC)/20/KOB/2021 IN IBA/258/CB/2019

Learned counsel for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC.

This is an appeal under section 42 of the IBC, 2016 filed by the applicant Shri Rajesh S against the Liquidator alleging that the liquidators act of rejecting and disallowing the appellants claim is totally erroneous.

Learned liquidator submitted that he will file the reply against this MA within 7 days. He may do so positively within 7 days.

List on 30.09.2021 for hearing.

4 MA(IBC)/21/KOB/2021 IN IBA/258/CB/2019

Learned counsel for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC.

This is an appeal under section 42 of the IBC, 2016 filed by the applicant Shri Hareeshkumar PH against the Liquidator alleging that the liquidators act of rejecting and disallowing the appellants claim is totally erroneous.

Learned liquidator submitted that he will file the reply against this MA within 7 days. He may do so positively within 7 days.

List on 30.09.2021 for hearing.

5 IA/7(KOB)/2020 IN TCP/7/KOB/19

Learned counsel for the applicants Shri Madhu Namboothiripad as well as learned counsel for R1 Shri. C.K.Karunakaran and learned counsel for R2 Smt Rema Smrithi appeared through VC.

Heard the learned counsel for R1 partly.

List on 21.10.2021 as part heard (High on Board).

6 TCP/7/KOB/19

Learned counsel for the Petitioner Shri C.K.Karunakaran appeared through VC. Learned counsel for R1 & R2 Shri Madhu Namboothiripad and learned counsel for R3 Smt Rema Smrithi and learned counsel for R4 Shri Shri Keerthi Vas Giri appeared through VC. Shri B. Ramesh, Asst ROC also appeared through VC for R5.

Heard the learned counsel for Petitioner partly.

Learned counsel for the respondents are directed to submit their written submissions in brief (3-4 pages) within two weeks.

List on 21.10.2021 as part heard (High on Board).

7 CP(IBC)/26/KOB/2021

Learned counsel for the Operational Creditor Shri Dhruvraj R. Bhavsar appeared through VC.

During the last date of hearing on 17.08.2021 Adv Shri Prasant Kumar stated that he will be appearing for the respondent and that he will file vakalath and sought time to file counter for the Corporate Debtor. But neither vakalath nor counter filed by Shri Prasant Kumar till date. However, today he submitted that settlement talks are going on in this matter and sought some more time to file the counter. **He is directed to file counter on or before 30.09.2021, failing which, the right to file counter will stand forfeited.**

List on 21.10.2021 for final hearing. There shall be no adjournment in this case and the matter will be disposed considering the documents on record.

8 COMP.APPL/86/KOB/2021 IN TCP/14/KOB/2020 (TCP/67/2016(CB))

Learned senior counsel for the Applicants / R2-R4 Shri Joseph Kodianthara appeared through VC. Learned counsel for the respondents / R1 & Petitioners in TCP Shri Mohan Pulickkal also appeared through VC.

Shri Mohan Pulickkal sought time to file counter in this CA. He may file the counter within a week.

List on 27.10.2021.

9 TCP/14/KOB/2020 (TCP/67/2016(CB))

Learned counsel for the Petitioners Shri Mohan Pulickkal as well as learned senior counsel for R2 to R4 Shri Joseph Kodianthara appeared through VC.

List on 27.10.2021.

10 TCP/65/KOB/2020 (Writ Petition no.2649/2014 of High Court of Kerala)

Learned counsel for the petitioner Shri Terry V. James appeared through VC. Adv Shri Deepak Ashok Kumar represented the learned counsel for R4, R11 and R12.

At the request of the parties, the case is adjourned to **28.10.2021.**

11 IA/56/KOB/2020 IN TCP/61/KOB/2019

Learned counsel for the Applicant Shri Shameed Ahamed as well as learned counsel for the Respondents Ms Sruthi Ravi appeared through VC.

At the request of both the parties, the case is adjourned to 01.11.2021 for hearing.

12 IA/57/KOB/2020 IN TCP/61/KOB/2019

Learned counsel for the Applicant Shri Shameed Ahamed as well as learned counsel for the Respondents Ms Sruthi Ravi appeared through VC.

At the request of both the parties, the case is adjourned to 01.11.2021 for hearing.

13 TCP/61/KOB/ 2019 (CP/531/2019)

Learned counsel for the Applicant Shri Shameed Ahamed as well as learned counsel for the Respondents Ms Sruthi Ravi appeared through VC.

At the request of both the parties, the case is adjourned to 01.11.2021 for hearing.

Both the parties are directed to submit their written submissions in brief (limiting 4-5 pages) within two weeks.

14 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.

Learned counsel for the applicant Smt Deepthi Susan George, learned counsel for R2 Shri Shameem Ahamed and learned counsel for R1, R3 and R5 Shri Venugopalan appeared through VC.

The applicant/petitioner is directed to provide the copy of this IA to the learned counter for R1, R3 & R5 on or before 27.09.2021. Respondents are directed to file the counter within two weeks thereafter.

List on 02.11.2021 for hearing.

15 CP/18/KOB/2020

Learned counsel for the Petitioners Ms Deepthi Susan George appeared through VC. Learned counsel for R1, R3, R5 Shri Venugopalan and learned counsel for R2 Shri Shameem Ahmed also appeared through VC. R4 was already set exparte.

Pleadings are complete

List on 02.11.2021 for hearing.

16 CP/23/KOB/2020

Learned counsel for the Petitioner Shri Linil Lal as well as learned counsel for R1 to R4 Shri Ratheesh P.R. appeared through VC.

Shri Ratheesh submitted that the Bank accounts of the R1 Company has already been frozen and hence prayed to dispose of this case at the earliest.

Pleadings are complete.

The learned counsel for the petitioner is directed to submit the written submissions in brief (3-4 pages) within two weeks. Respondents have already filed their written submissions.

List on 03.11.2021 for hearing. (HOB). There shall be no adjournment in this matter.

17 **IA(C/ACT)/16/KOB/2021 IN CP/43/KOB/2020**

This is an IA filed by the petitioner under Rule 53 of NCLT Rules 2016 with the prayer to implead additional respondents 5 to 10 in the CP.

Proxy counsel Adv Aishwariya appeared for the learned counsel for the Petitioner Shri Shinu J. Pillai. Learned counsel for R1 to R3 Shri S.M.Ameerul Millath also appeared through VC. None appeared for R4.

Respondents are directed to file their counter within two weeks.

List on 06.10.2021.

18 **CP/43/KOB/2020**

Proxy counsel Adv Aishwariya appeared for the learned counsel for the Petitioner Shri Shinu J. Pillai. Learned counsel for R1 to R3 Shri S.M.Ameerul Millath also appeared through VC. None appeared for R4.

At the request of the parties, adjourned to 06.10.2021.