

NCLT, KOCHI BENCH

Daily Orders – Draft for approval

Date: 26th August 2021

In the Bench of: **Ms. Sucharita R. Hon'ble Member (Judicial) &
Shri Rajesh Sharma, Hon'ble Member (Technical)**

1 IVNP/4/KOB/2021 IN IA(IBA)/87/KOB/2021 IN IBA/23/KOB/2019

Learned counsel for the Intervening Petitioner Shri Santhosh Mathew as well as learned RP/Respondent Shri Vinod PV appeared through VC.

This is an intervening petition filed by the original applicants in the IBA seeking for appropriate direction under Section 60(5) of IBC, 2016 read with Rule 11 of NCLT Rules, 2016.

Since today's Bench is constituted as a Special Bench, let this matter be listed before the regular bench on **10.09.2021**.

2 IA(IBC)/124/KOB/2021 IN IBA/24/KOB/2020

Learned RP Shri Mohanan T.S. appeared through VC.

This is an IA filed by the R.P under Section 30(6) and 31 of IBC 2016 for approval of the Resolution Plan.

Since today's Bench is constituted as a Special Bench, let this matter be listed before the regular bench on **03.09.2021**.

3 MA/76/KOB/2020 IN IBA/240/(IB)/2019/CHENNAI BENCH

Learned liquidator/applicant Shri Mahalingam Sureshkumar as well as learned counsel for R1 Shri Varun Srinivasan and learned counsel for R2 Shri Shinu J. Pillai appeared through VC.

The Hon'ble High Court of Kerala vide order dated 09.04.2021 in WP(C) No.3864/2021(G) has set aside the order of this Tribunal in MA/76KOB/2020 dated

01.02.2021 and directed to pass orders afresh after giving an opportunity of hearing to the petitioners in the Writ Petition.

This is a memo filed by the Liquidator to hear the **MA/76/KOB/2020** afresh in compliance with the orders of the Hon'ble High Court of Kerala. Learned counsel for respondents stated that as directed by the Hon'ble High Court of Kerala, the petitioners in the Writ Petition have not been impleaded in this MA.

The Liquidator is directed to take necessary steps to implead the petitioners in the Writ Petition in compliance with the Order of the Hon'ble High Court of Kerala in this MA with 7 days.

List the matter on 21.09.2021.

4 IA/63/KOB/2020 IN IBA/240/2019/CB

Learned counsel for the applicant Shri S. Easwaran as well as learned liquidator Shri Mahalingam Sureshkumar appeared through VC.

List this matter on 21.09.2021 along with **MA/76/KOB/2020 IN IBA/240/(IB)/2019/CHENNAI BENCH.**

5 IBA/27/KOB/2020

Learned counsel for the Operational Creditor Shri Rony Jose as well as learned counsel for the Corporate Debtor Ms Irene Babu appeared through VC.

The total amount of debt due from the CD is Rs.21,25,382/- along with interest @ 18% from 04.02.2020. The application was filed on 12.08.2020 and the alleged default is less than one crores. From 24.3.2020, the amount of Rs. 1 lakh is raised to Rs. 1 crore with regard to claim in IBC matters.

List this matter on 03.09.2021 before the regular bench.

6 IA(IBC)/108/KOB/2021 IN CP(IB)/9/KOB/2021

Learned counsel for the applicant Shri Prasanth Kumar as well as learned counsel for respondent Shri Vinod PV appeared through VC.

Shri Prasanth Kumar submitted that he is in receipt of the counter and sought time to file the rejoinder. He is directed to file the rejoinder within a week. However, Registry reported that the counter has not been received. Respondents are directed to file the counter in the Registry without fail.

List the matter on 06.09.2021.

7 CP(IB)/9/KOB/2021

Learned counsel for the applicant Shri Prasanth Kumar as well as learned respondent Shri Vinod PV appeared through VC.

Shri Prasanth Kumar submitted that he is in receipt of the counter and sought time to file the rejoinder. He is directed to file the rejoinder within a week. However, Registry reported that the counter has not been received. Respondents are directed to file the counter in the Registry without fail.

List the matter on 06.09.2021 along with the connected IA.

8 CP(IBC)/21/KOB/2021

Learned counsel for the Operational Creditor Shri Abraham Chandappalli as well as learned counsel for the Corporate Debtor Shri Harish Abraham appeared through VC.

Both the counsel submitted that settlement talks have already been concluded and some formalities are yet to be completed.

List on 08.09.2021 for the Settlement Memo. Both the parties may note that there shall be no further adjournment in this matter and the matter will be disposed of based on available records.

9 TCP/57/KOB/2020 (CP/19/1999 of High Court of Kerala)

Learned counsel for the petitioner Shr Paul Jacob appeared through VC.

The petitioner has not filed the proof of service till date.

The petitioner is directed to issue fresh notice to the respondents through Registered Post with A/D and also through email and submit proof of service (A/d card or Postal Track Report) with an affidavit within 10 days.

List on 21.09.2021.

10 CP/28/KOB/2021

Learned counsel for the Petitioner Shri Binoy Chacko as well as learned counsel for the respondent Shri Jinu John Jacob appeared through VC.

Today the case is posted for hearing. Since today's Bench is constituted as a Special Bench, let this matter be listed before the regular bench on **03.09.2021**.

11 CP(CAA)/01/KOB/2021

Learned counsel for the Petitioner Shri Yongindunath S appeared through VC.

ROC submitted the authorisation given to him by the Regional Director (SR) to submit a report before this Tribunal.

The Report of ROC is on record.

List on 03.09.2021 before the Regular Bench for hearing.