

**NCLT, KOCHI****Daily Orders – Draft****In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)****Date: 13<sup>th</sup> August 2020****1 TCP/67/KOB/2019 WITH IA/51/KOB/2020 IN IA/79/KOB/2019**

Learned counsel for the petitioner Shri Sankar P. Panicker appeared in the VC. Orders pronounced. IA/51/KOB/2020 in IA/79/KOB/2019 is disposed of vide separate sheets.

**2 IBA/04(KOB)/2020 WITH IA/81/KOB/2020**

Learned counsel for the Financial Creditor Shri V.A.Ajaikumar as well as learned counsel for the Corporate Debtor Shri P.V.George appeared in the VC. Orders pronounced in the IA. **IA/80/KOB/2020 is disposed of vide separate sheets.** Meanwhile the learned counsel for the CD has prayed to allow to file an additional counter in IBA/04/KOB/2020. Allowed. List IBA/04/KOB/2020 on 27.8.2020 before that date the CD is directed to file their additional counter. There shall be no adjournment in this case.

**3 REPORT NO.55/KOB/2020 IN IBA/258/2019 (CB)**

The learned liquidator submitted an email stating his willingness to appear through VC along with his counsel Shri Akhil Suresh. On verification of the records, it is seen that Report No.55 of the Liquidator has already been taken on record vide order dated 7.7.2020. Registry is directed to file the same in the appropriate file.

**4 MA/71/KOB/2020 IN IBA/38/KOB/2019**

Learned counsel for the RP Shri Arun Kumar submitted an email stating his willingness to appear through VC. But his email was received only after taking up the matter. Adv. Pranoy Harilal submitted an email stating willingness to appear through VC for R4. Meanwhile Adv Reji George submitted an email attaching a copy of a Vakalat executed by R3 and sought link to attend the proceedings through VC. Registry is directed to issue notice to R1 & R2 through email in addition to normal procedure. **List on 9.9.2020** before that date objections to MA, if any, may be filed by the Respondents.

**5 TMA/42/KOB/19 (MA/ 450/IB/18(C.B.)) IN CP/689/IB/2017/(C.B.)**

Learned counsel for RP Shri Ravi Chandran submitted an email stating willingness to appear through VC. However, learned counsel for Respondents sought an adjournment for the reason that he is unwell today. List on 9.9.2020

## **6 IBA/01(KOB)/2020**

Learned counsel for the Financial Creditor sought an adjournment through email stating that the Bank is presently under triple lock down area in Trivandrum, hence he could not file the rejoinder. Learned counsel for the respondents submitted an email stating willingness to appear through VC. List on 14.9.2020, before the applicants are directed to file their rejoinder.

## **7 CONTEMPT PETITION/03/KOB/2020 IN IA/33/KOB/2020 IN CP/72/KOB/2019**

Learned senior counsel for the Contempt Petitioners Shri Joseph Kodianthara, learned senior counsel for R2 Shri Om Prakash and learned counsel for R3 to R5 Shri Philip Mathew appeared in the VC. Learned counsel for R1 Shri Anil D. Nair submitted an email seeking an adjournment. Learned senior counsel for the Contempt Petitioner submitted that the Respondents have violated the directions of this Tribunal dated 19.2.2020. Even though the Contempt Petition was filed in March 2020, no reply has been filed by the respondents till date. Learned counsel for R3 to R5 submitted that since no specific allegations have been made against his clients, he wants to file an IA to struck of their name from the Contempt Petition. He may do so within two weeks from today with copy served to the learned senior counsel to the petitioners. Registry is directed to issue notice to R6 through email in addition to normal procedure. R1, R2 and R6 are directed to file their reply affidavit to the Contempt petition within two weeks from today. List for hearing on 8.9.2020.

## **8 CONTEMPT PETITION/04/KOB/2020 IN IA/32/KOB/2020 IN CP/71/KOB/2019**

Learned senior counsel for the Contempt Petitioners Shri Joseph Kodianthara, learned senior counsel for R2 Shri Om Prakash and learned counsel for R3 to R5 Shri Philip Mathew appeared in the VC. Learned counsel for R1 Shri Anil D. Nair submitted an email seeking an adjournment. Learned senior counsel for the Contempt Petitioner submitted that the Respondents have violated the directions of this Tribunal dated 19.2.2020. Even though the Contempt Petition was filed in March 2020, no reply has been filed by the respondents till date. Learned counsel for R3 to R5 submitted that since no specific allegations have been made against his clients, he wants to file an IA to struck of their name from the Contempt Petition. He may do so within two weeks from today with copy served to the learned senior counsel to the petitioners. Registry is directed to issue notice to R6 through email in addition to normal procedure. R1, R2 and R6 are directed to file their reply affidavit to the Contempt petition within two weeks from today. List for hearing on 8.9.2020.

## **9 CONTEMPT PETITION/05/KOB/2020 IN IA/31/KOB/2020 IN CP/69/KOB/2019**

Learned senior counsel for the Contempt Petitioners Shri Joseph Kodianthara, learned senior counsel for R2 Shri Om Prakash and learned counsel for R3 to R5 Shri Philip Mathew appeared in the VC. Learned counsel for R1 Shri Anil D. Nair submitted an email seeking an adjournment. Learned senior counsel for the

Contempt Petitioner submitted that the Respondents have violated the directions of this Tribunal dated 19.2.2020. Even though the Contempt Petition was filed in March 2020, no reply has been filed by the respondents till date. Learned counsel for R3 to R5 submitted that since no specific allegations have been made against his clients, he wants to file an IA to struck of their name from the Contempt Petition. He may do so within two weeks from today with copy served to the learned senior counsel to the petitioners. Registry is directed to issue notice to R6 through email in addition to normal procedure. R1, R2 and R6 are directed to file their reply affidavit to the Contempt petition within two weeks from today. List for hearing on 8.9.2020.

**10 IA/32/KOB/19 IN CP/69/KOB/2019**

Learned counsel for the applicant in IA Shri Anil D. Nair submitted an email seeking an adjournment. Learned Senior counsel for respondents appeared in the VC. It is stated that pleadings are complete. List for hearing on 8.9.2020.

**11 IA/17/KOB/2020 IN CP/69/KOB/2019**

Learned Senior counsel for the applicant in IA Shri Om Prakash, learned Senior counsel Shri Joseph Kodianthara and learned counsel Shri Philip Mathew appeared for the respondents in IA in the VC. This IA is filed by R7 with the prayer to extend the time limit to file the reply to the Company Petition. Learned senior counsel for R7 submitted that reply has already been filed in the CP. Since reply has already been filed in the CP this **IA/17/KOB/2020 stands disposed of.**

**12 CP/69/KOB/2019**

Learned counsel for Petitioner and Learned counsel for R3, R4, R7 & R8 appeared in the VC. Learned counsel for R1, R9 to R13 and R15 sought an adjournment through email. List for hearing on 8.9.2020

**13 IA/33/KOB/19 IN CP/71/KOB/2019**

Learned counsel for the applicant in IA sought an adjournment through email. Learned Senior counsel for respondents appeared in the VC. Pleadings are complete. List for hearing on 8.9.2020.

**14 IA/16(KOB)/2020 IN CP/71/KOB/2019**

Learned counsel for the applicant in the IA Shri Om Prakash, learned Senior counsel Shri Joseph Kodianthara and learned counsel Shri Philip Mathew appeared for the respondents in the VC. This IA is filed by R7 with the prayer to extend the time limit to file the reply to the Company Petition. Learned senior counsel for R7 submitted that reply has already been filed in the CP. Since reply has already been filed in the CP this **IA/16/KOB/2020 stands disposed of.**

**15 CP/71/KOB/2019**

Learned counsel for Petitioner and Learned counsel for R3, R4, R7 & R8 appeared in the VC. Learned counsel for R1, R9 to R13 and R15 sought an adjournment through email. List for hearing on 8.9.2020

**16 IA/34/KOB/19 IN CP/72/KOB/2019**

Learned counsel for the applicant in IA sought an adjournment through email. Learned Senior counsel for respondents appeared in the VC. Pleadings are complete. List for hearing on 8.9.2020.

**17 IA/18/KOB/2020 IN CP/72/KOB/2019**

Learned senior counsel for the applicant in IA Shri Om Prakash, learned Senior counsel Shri Joseph Kodianthara and learned counsel Shri Philip Mathew appeared for the respondents in the VC. This IA is filed by R7 with the prayer to extend the time limit to file the reply to the Company Petition. Learned senior counsel for R7 submitted that reply has already been filed in the CP. Since reply has already been filed in the CP this **IA/18/KOB/2020 stands disposed of.**

**18 CP/72/KOB/2019**

Learned counsel for Petitioner and Learned counsel for R3, R4 & R7 appeared in the VC. Learned counsel for R1, R8 to R13 and R15 sought an adjournment through email. List for hearing on 8.9.2020

**19 CP/07/KOB/2020**

Learned counsel for the petitioner Shri Philip Mathew appeared in the VC. He submitted that the payment has already been made. Hence the case can be disposed of at an early date. Meanwhile Shri Anil D. Nair filed Vakkalath for the Respondents and sought an adjournment for filing the counter. The Respondents are directed to file their counter within two weeks from today. List on 11.9.2020 for final hearing.

**20 CA/39/KOB/2020**

Heard the arguments made by the Learned counsel for the appellant Ms. Lakshmi Krishnadas through VC. The report of the ROC is on record. Reserved for orders. **List for pronouncement of orders on 27.8.2020.**