

## ***NCLT, KOCHI BENCH***

### **Daily Orders – Draft**

In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)

Date: 11<sup>th</sup> Dec 2020

#### **1 MA/158/KOB/2020 IN CA/42/KOB/2020**

Learned counsel for the Applicant Shri Abhilash Nediyaalil Abraham appeared through VC. Orders pronounced. **MA/158/KOB/2020 IN CA/42/KOB/2020 is disposed of vide separate order.**

#### **2 CA/88/KOB/2020**

Learned counsel for the Applicant Mrs. Lakshmi Krishnadas appeared through VC. Orders pronounced. **CA/88/KOB/2020 is disposed of vide separate order.**

#### **3 REPORT NO. 122/KOB/2020 IN TIBA/03/KOB/2019**

Learned counsel for the RP Shri Vinod PV appeared through VC. **Report of the RP is taken on record.** Registry is directed to place the report in the appropriate file.

#### **4 MA/200/KOB/2020 IN TIBA/03/KOB/2019**

Learned counsel for the RP Shri Vinod PV appeared through VC. Heard and perused the records. Orders pronounced. **MA/200/KOB/2020 IN TIBA/03/KOB/2019 is disposed of vide separate order.**

#### **5 MA/201/KOB/2020 IN TIBA/03/KOB/2019**

Learned counsel for the Applicant Ms Jinnu Sara George as well as learned counsel for the RP Shri Vinod PV appeared through VC. This is an application filed under Section 60(5) read with Sections 25, 47 of IBC, 2016. The applicants are the retirees from the CD, who served the Company for more than 30 years. The applicants have sought 7 reliefs and 3 interim reliefs, which include a direction to the RP to disburse the amount pertaining to Pension, Gratuity and Provident Fund along with statutory interest, till the date of actual payment. Learned counsel for the RP submitted that he will file a counter, covering all the contentions raised, within a week. He may do so. The Applicants may file their rejoinder, if any, before the next date fixed. **List on 18.01.2021 for hearing.**

#### 6 CP/35/KOB/2020

None has appeared for the petitioners. Shri C.S.Manu, Advocate submitted an email stating his willingness to appear through VC for R3 to R6. He has also filed vakkalath for them. All respondents are directed to file counter in the CP within three weeks. List on **29.1.2021**

#### 7 CP/36/KOB/2020

Learned counsel for the Petitioner Shri Girish appeared through VC. This petition is filed by the petitioner seeking direction to the R1 Company to repay the deposited amount of Rs.28,00,000/- with interest at 11% per annum.

Vide our order dated 12<sup>th</sup> October 2020, the Petitioner was directed to issue notice to the Respondent through Registered post with A/d and submit proof of service with an affidavit on or before 11.12.2020. But the petitioner has not filed any proof of service till today. Notice issued by the Registry to Respondent has been returned unserved with the postal remarks "Locked".

Therefore, the petitioner is directed to issue notice again to respondent through Registered post with A/d and also issue paper publication in two newspapers, one in English and one in Malayalam, within ten days from today, and submit proof of publication with an affidavit before the next date fixed. **List on 29.1.2021.**

#### 8 IA/58/KOB/2019 IN CP/114/KOB/2019

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

#### 9 IA 83/KOB/2020 IN CP/114/KOB/2019

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

10     **IA/87/KOB/2020 IN CP/114/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

11     **IA/95/KOB/2020 IN CP/114/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

12     **CP/114/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

13     **IA/65/KOB/2019 IN CP/119/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

14 **IA/84/KOB/2020 IN CP/119/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

15 **IA/86/KOB/2020 IN CP/119/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

16 **IA/93/KOB/2020 IN CP/119/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

17 **CP/119/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

18     **IA/85/KOB/2020 IN CP/125/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

19     **IA/88/KOB/2020 IN CP/125/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

20     **IA/94/KOB/2020 IN CP/125/KOB/2019**

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**

21 CP/125/KOB/2019

Learned counsel Shri Sukumar Oommen intimated his willingness to appear through VC. However, learned counsel for Respondents Shri P.Sanjay sent an email requesting for an adjournment because he has to appear before the Hon'ble High Court due to heavy postings of his cases. Shri Zibi Jose PCS stated that since Shri P.Sanjay is seeking adjournment, he is also seeking an adjournment. Learned PCS Shri Sumit Agarwal is ready to appear through VC. In view of the request of the learned counsel for the respondents, the matter stands adjourned to **7.1.2021 at 2.30 pm. Both sides may cooperate for early disposal of the matter.**