

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 10.30 AM ON 04-09-2018.

PRESENT: SHRI K. ANANTHA PADMANABHA SWAMY, MEMBER-JUDICIAL
SHRI S. VIJAYARAGHAVAN, MEMBER (TECHNICAL)

APPLICATION NUMBER : MA/362/2018
PETITION NUMBER : CP/616/IB/2017
NAME OF THE PETITIONER(S) : KARTHIGA
NAME OF THE RESPONDENT(S) : AGARWAL COAL CORPORATION PVT LTD & 1
UNDER SECTION : 60

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
REPRESENTATION BY WHOM			

Mr. OM Prakash
Sr Adv for PASS Associates

For Resolute Applica



N. IC MURISON

PCS for d/c



JAYANTH VISWANATHAN

PCS for RP



(24)

MA/362/2018 IN CP/616/IB/2017

ORDER

PCS representing the RP present. In this case, the issue is regarding the amount of Rs.2.39 Crores which is claimed to be due by the Operational Creditor and in this connection, the RP representing the Corporate Debtor and the learned counsel representing the Resolution Applicant stated that the amount will be paid to the Operational Creditor subject to providing a bank guarantee for the said amount, so that, any differences in the claim amount could be settled through mutual discussions. The learned counsel representing the Resolution Applicant stated that the issue regarding the penalty on customs duty for wrong classification of goods under the customs tariff is pending before the Hon'ble Supreme Court. The learned counsel representing the Resolution Applicant is directed to furnish copy of the Civil Appeal filed before the Hon'ble Supreme Court to the other side. Matter is adjourned for making further submissions in this regard. **Put up on 18.09.2018.**

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(S VIJAYARAGHAVAN)
Member (Technical)

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(K ANANTHA PADMANABHA SWAMY)
Member (Judicial)

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