

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CP (IB) No. 03/KB/2017
CA (IB) No. 293/KB/2018
CA (IB) No. 911/KB/2018
CA (IB) No. 924/KB/2018
CA (IB) No. 935/KB/2018

Present: Hon'ble Member (J), Shri Jinan K.R.

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 10th OCTOBER, 2018, 10:30 A.M.

Name of the Company	Nicc Corporation Ltd. (under Liquidation)		
Under Section	10 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1.	Adv. Richa Saraf	} liquidator	Richa Saraf
2.	Adv. Joy Saha		20/10/18
	Udit Agarwal, Adv	- Operational Creditor	Agarwal
1.	Shwetaank Nigam, Adv.	for applicants in I.A. No. 911 of 2017	10/10/18 Nigam 10/10/2018

1)	Mrs. Jayanta Mitra (Sr. Adv.)	} For R-1,2 7 & 13	Aishu Chaudhuri 10/10/18.
2)	Shaunak Mitra (Adv.)		
3)	Aishu Chaudhuri (Adv.)		

1) Mr. Amitava Chaudhuri
2) Mr. Deep Basu Mallick
3) Mr. V. Roy advocates
for
The Neo-Pipes & Tubes

P.T.O.

**115 CA(IB) Nos. 293, 911, 924 & 935/KB/2018 in CP(IB)
No. 03/KB/2017 - Nicco Corpn. Ltd. (In Liquidation)**

O R D E R

Ld. Counsel for the Liquidator, the operational creditor, the applicant in CA(IB) No. 911/KB/2018, for the applicant (operational creditor) and the R-1, R-2, R-7 and R-13 is present.

CA(IB) No. 293/KB/2018 came up for consideration on today. Heard the Ld. Sr. Counsel for the applicant. The Ld. Counsel appearing for the respondent submits that respondent will surrender the premises by January, 2019 without any protest. According to the Ld.Sr. Counsel for the applicant, if the respondent pay rent at the enhanced rate as claimed, agreed to grant time to surrender. Ld. Counsel for the respondent sought time to have instructions from his client. Time is granted.

List it on **12/10/2018**.

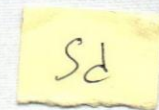
CA(IB) No.911/KB/2018 filed by the operational creditor for the reason of the rejection of the claim by the Liquidator since there is delay in submitting the claim before the Liquidator. The applicant contends that it was unaware of the publication and lately came to know the liquidation process is pending before the Adjudicating Authority. The reason for delay in submission of the claim before the Liquidator is not at all satisfactory but in the interest of justice delay in submission of claim is to be condoned provided Rs. 11,000/- (Rupees Eleven thousand only) is to be paid in the Chief Minister's Distress Relief Fund of Kerala (www.donation.cmdrf.kerala.gov.in) within **two weeks**. Upon payment, the application stands allowed. If no

payment is made, the application stands dismissed. CA(IB) No.911/KB/2018 is disposed of accordingly.

CA(IB) No.924/KB/2018 filed by the operational creditor for the reason of the rejection of the claim by the Liquidator since there is delay in submission of the claim before the Liquidator. The applicant was unaware of the publication and lately came to know the liquidation process is pending before the Adjudicating Authority. The reason for delay in submission of claim before the Liquidator is not at all satisfactory but in the interest of justice demands to condone the delay in submission of the claim so as to decide the claims on its own merit by the Liquidator provided applicant pay Rs. 17,000/- (Rupees Seventeen thousand only) to the Chief Minister's Distress Relief Fund of Kerala (www.donation.cmdrf.kerala.gov.in). Upon payment the application is to be allowed. The Liquidator is directed to consider the claim. If no payment, as directed, is made the application stands dismissed. CA(IB) No.924/KB/2018 is disposed of.

CA(IB) No. 935/KB/2018 - Nobody represented on the side of the applicant.

Call it on **12/10/2018**.



(Jinan K.R.)
Member (J)