


6

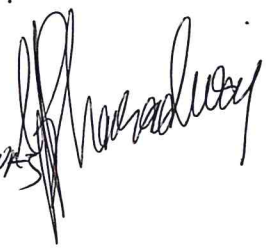
**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 04.02.2019

PRESENT: 1. Hon'ble Member (J) Shri Rajeswara Rao Vittanala
2. Hon'ble Member (T) Dr. Ashok Kumar Mishra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB)No.244/ BB/2018	For admission IA 27/19	Sec 7 of I&B code	M/s Dena Bank	T P Muthanna Advocate	M/s Kavveri Telecom Infrastructur e Limited	

ADVOCATE FOR PETITIONER/s : 
(T-P. MUTHANNA)

ADVOCATE FOR RESPONDENT/s :

GAUTAM S BHARADWAJ

ORDER

Heard Shri T.P.Muthanna, learned Counsel for Petitioner; Shri Gautam.S, ^{Bharadwaj} learned Counsel for Respondent. Learned Counsel for Respondent has only ~~stating to raise~~ one objection on limitation. However, the learned Counsel for Respondent requests short time to file comprehensive objections ^{and} of written submission. We make it clear that no further adjournment shall be granted. IA.No.27/2019 is disposed of vide separate order and post the CP along with material papers on **08.02.2019**.


MEMBER (T)


MEMBER (J)

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

IA No.27/2019 in
C.P (IB)No.244/BB/2018
Under Rule 11 of NCLT Rules, 2016
R/w Rule 4 of I&BC (AAA) Rules, 2016

In the matter of:

Dena Bank

Asset Recovery Branch
C/o. Bangalore Zonal Office
38, Sapthagiri Palace,
12th Cross, Ganganagar North,
Bangalore – 560024.

- Applicant/Petitioner

Versus

M/s. Kavveri Telecom Infrastructure Limited

Plot No.31 to 36, 1st Main, 2nd Stage,
Arakere Micro Layout,
Bannerghatta Road,
Bangalore – 560068.

- Respondent

Date of Order: 04th February, 2019

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Dr. Ashok Kumar Mishra, Member (Technical)

Parties/Counsels Present:

For the Petitioner : Shri T.P.Muthanna

For the Respondent : Shri Gautham.S.Bharadwaj

ORDER


Per: Rajeswara Rao Vittanala, Member (J)

1. I.A.No.27/2019 in C.P.(IB)No.244/BB/2018 is filed by **Dena Bank**
(Petitioner) U/R 11 of NCLT Rules, 2016, R/w Rule 4 of I&BC(AAA)



- Rules, 2016, by inter alia, seeking to permit the Petitioner to produce the order dated 27.03.2017 and recovery certificate No.2060/2017 dated 25.5.2017 passed by DRT TA No. 634/2017 (OA No.16/2015) and consequently permit them to amend the Form No.1 in the interest of Justice.
2. Heard Shri T.P. Muthanna learned Counsel for Applicant/Petitioner and Shri Gautham.S.Bharadwaj learned Counsel for Respondent. The Learned Counsel for Applicant submits that due to inadvertence, the documents sought for to produce, could not mentioned in the Application by enclosed to the Petition and thus urged the Tribunal to allow the application as prayed for.
 3. We have considered the pleadings of the party. We are convinced that the documents as sought to be produced are essential to substantiate the claim of the Bank and they should be permitted to do in the interest of justice.
 4. In the result, IA No.27/2019 in CP.(IB)No.244/BB/2018 is disposed of with the following directions:
 - 1) Hereby directed the application to enclose the document and amend as for consequently file amended petition enclosing the documents as material papers immediately
 - 2) The Registry is directed to permit the Counsel for Applicant to amend the Company Petition accordingly.


(ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL


(RAJESWARA RAO VITTANALA)
MEMBER, JUDICIAL