

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

CORAM:

(IB)-702/ND/2018

**PRESENT: DR. V. K. SUBBURAJ
HON'BLE MEMBER(T)**

**MS. INA MALHOTRA
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 22.05.2019**

**NAME OF THE COMPANY: Super Print Services V/s. M/s. Xalta Food and
Beverages Pvt.Ltd.**

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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Present: Mr. R. S. Suri, Sr. Advocate with Mr. Anjan Chakraborty,
Mr. Akshay Kapoor, Mr. Aditya Giri, Advocates for the Petitioner
Mr. Mayank Mishra and Mr. Ashish Toshi, Advocates for Oasis
Beverages
Mr. Abhishek Anand, Advocate for R-3 &4

ORDER

CA 638/2019 has been filed by the RP for seeking possession of the 2 trucks registered in the name of the Corporate Debtor. The same had been entrusted to the non-applicant for its body building. Notice to the non-applicant returnable on 3rd June, 2019.

CA 463/2019 has been filed against the employee of the Corporate Debtor who continues to retain the car belonging to the Corporate Debtor. The RP prays for seeking possession of the same. Despite notice to the non-applicant, none is present on their behalf. Ld. Counsel for the RP prays for necessary directions to repossess the vehicle. In view of the submissions made and the fact that no reply has been filed, it is directed that the RP shall take over the possession belonging to the Corporate Debtor, being a Honda City Car bearing Registration no. DL 3CCL 4611. Police aid, if required, be taken.

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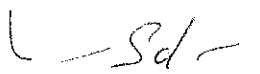
CA 280/2019 has been filed by the Karur Vysya Bank praying that the RP be changed.


CA 133/2019 has been filed by the lessor of the Corporate Debtor where the plant and machines are installed. The RP submits that they are unable to vacate this premises because the machines cannot be shifted out. The applicant submits that the rent towards the same has not been paid by the COC to them which has to be recovered as cost of the COC. It is now submitted by the RP that they have infact made over payment, if security deposit is taken into account. The email has been sent by the RP to the applicant to given clarification on certain points. Let the same be replied to.

Without adjudicating on the merits of the claims made by the lessor, a sum of Rs. 5 lakhs is being tendered by the RP. The same is accepted without prejudice to his rights.

CA 455/2019 has been filed by the Ex-Directors praying that they may be provided with the minutes of the COC meeting held. Ld. Counsel for the RP submits that the evaluation matrix and eligibility criteria discussed in the meeting of 3rd COC cannot be shared on grounds of confidentiality. Let reply be filed.

To come up on 3rd June, 2019.


(V. K. Subburaj)
Member (T)


(Ina Malhotra)
Member (J)