

**NATIONAL COMPANY LAW TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI**

**IA No.37/GB/2021  
IN  
C.P. (IB)No.03/GB/2020**

**Coram:**

**Hon'ble Shri H. V. Subba Rao, Member (J):                       Hearing through  
Hon'ble Shri Prasanta Kumar Mohanty, Member (T):       Video Conference**

**ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI  
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 13.08.2021**

Name of the Company:     Mr. Kamal Agarwal, RP  
  V/s  
  Manish Soni & others

Section of the Companies Act:     Under Section 60(5) of IBC, 2016

<u>S. NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	MR. KAMAL AGARWALA	RP	Petitioner	Present in
2.	MR. MANISH SONI		R -1 in person	Video
3.	MR. VIVEK KUMAR	Advocate	R – in person	Conference
4.	MR. PANKAJ KR. SAHA		R – in person	

**ORDER**

**Date of Order: 13.08.2021**

The matter is taken up for hearing through Video Conferencing. Heard the RP and the Respondents.

2. The RP is present. Mr. Manish Soni, Mr. Vivek Kumar and Mr. Pankaj Kumar Saha are present.

3. The learned RP has submitted that numbers of false allegations have been made against him by the Respondents. He has further submitted that he is of the opinion that there are some understanding amongst the Respondents with the CD as the original petition under section 9 IBC filed by Mr. Manish Soni with ulterior motives for default of a small amount. The Respondents may be proceeded under Section 60(5) of the IBC. On the other hand, the Respondents No.1, 2 and 3 have submitted that they are the Lecturers of the CD and they are having no Lawyers. They had no bad intention. They need 15 days' time to file reply to the Petition. As

requested, 15 days' time is granted to them to file their replies. Copy of the same is to be given to the Petitioner. The Petitioner can also file rejoinder, if any, within 3 days from the date of receipt of the replies from the Respondents.

4. **List the matter on 01.09.2021.**

**Sd/-**  
**(Prasanta Kumar Mohanty)**  
**Member (Technical)**  
**& Adjudicating Authority**  
*/Deka-13.08.2021/*

**Sd/-**  
**(H. V. Subba Rao)**  
**Member (Judicial)**  
**& Adjudicating Authority**