NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH
GUWAHATI

IA (IBC) No.40/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
Gautam Saha & Seven others

Section of the Companies Act: Under Section 60(5) of IBC, 2016 read with Rule 11 of NCLT Rules, 2016

S. NO.	NAME (CAPITAL LETTERS)	DESIGNATION	REPRESENTATION	SIGNATURE
1.	MR. KAMAL AGARWALA	RP	Petitioner	Present in Video Conference
2.	MR. BIPIN KUMAR	Advocate	Respondent-8	

O R D E R
Date of Order: 13.08.2021

The matter is taken up for hearing through Video Conferencing. Heard the RP and the Respondents. All Respondents are present except Respondents No.4, 5 & 7.

2. The Petitioner/RP is present in person. Learned Counsel Mr. Bipin Kumar is present on behalf of the Respondent No.8.

3. On the other hand, the Petitioner is of the opinion that there are some understanding amongst the Respondents and the original petition under section 9 IBC was filed against the CD with mala fide intention other than the resolution of insolvency of the CD. The Petitioner further submits that he is not getting co-operation and other information /papers from the Respondents. He has prayed for directions of this Hon'ble Bench to the Respondents to comply. All the respondents are present in person except the Respondents No.4, 5 and 7. Heard both the sides. 15 days' time is given to the Respondents to file their replies. Copy of the same is to be given to the Petitioner and the Respondents are at liberty to file their

submissions, if any within 3 days from the date of receipt of the replies. The Petitioner is directed to convey the Order of this Bench to the Respondents No.4, 5 and 7 and file compliance report of service of the Order with the Registry.

3. **List the matter on 01.09.2021**.

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

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

/Deka-13.08.2021/