

BEFORE THE ADJUDICATING AUTHORITY
NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH AT AHMEDABAD
COURT 1

IA 190 of 2020 in TP 60 of 2019 [CP(IB) 32 of 2017] With
IA 348 of 2018 in IA 163 of 2018 With
IA 349 of 2018
IA 163 of 2018
IA 164 of 2018
IA 165 of 2018

Coram: MADAN B. GOSAVI, MEMBER (JUDICIAL)
VIRENDRA KUMAR GUPTA, MEMBER (TECHNICAL)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING THROUGH VIDEO CONFERENCING BEFORE THE
INDORE BENCH AT AHMEDABAD OF THE NATIONAL COMPANY LAW TRIBUNAL ON 01.01.2021

Name of the Company: SREI Infrastructure Finance Ltd
V/s
K S Oils Ltd

Section: Sec 66 r.w 60(5)(a) & 25(2)(j) of IBC/Sec 19(2), 19(3) r.w 14(1)(b), Sec 74 of
IBC r.w rule 11 of NCLT rules 2016/60(5)/60/IA for Directions/7 of
Insolvency and Bankruptcy Code, 2016

ORDER

Learned Counsel Mr. Vivek Sibbal appeared for the RP. Learned Counsel Ms. Megha Jani appeared for the Applicant in IA No. 348 of 2018 & IA No. 163 of 2018. Learned Counsel Ms. Natasha Shah appeared for the Applicant in IA No. 349 of 2018 & IA No. 163 & 164 of 2018 for the Respondents. Learned Senior Counsel Mr. Mihir Thakore appeared for the RP. Learned Counsel Mr. Sanjay Bhatt appeared.

IA No. 190 of 2020 is filed by the RP for recovery of the CIRP costs. We direct Respondent(s) to file reply within one week by serving an advance copy to the other side.

IA No. 348 of 2018 is filed by the one of Respondent no.1 and 2 challenging the maintainability of this application. IA No. 348 & 163 of 2018 shall be heard together, hence, stands adjourned.

IA No. 163 of 2018 is filed by the RP under Section 66 of the IBC, 2016, this application shall be heard alongwith IA No. 348 of 2018, hence, stands adjourned.

IA No. 349 of 2018 is filed under Section 60 of the IBC, 2016 for challenging the maintainability of the IA No. 163 of 2018. This application stands adjourned.

IA No. 164 of 2018 is filed by the Resolution Professional under Section 19(2) r.w. 74 of IBC, 2016, which is penal Section. We direct Respondent to file thereto within one week by serving an advance copy to the other side.

IA No. 165 of 2018 is again filed by the Resolution Professional for direction to CoC to submit minutes of COc meeting. Such application itself not maintainable as CoC meeting being conducted by Resolution Professional.

Accordingly, IA No. 165 of the 2018 stands dismissed being infructuous.

The matter stands adjourned to 11.02.2021 for further consideration.


(VIRENDRA KUMAR GUPTA)
MEMBER (TECHNICAL)


(MADAN B GOSAVI)
MEMBER (JUDICIAL)

Dated this the 1st day of January, 2021.