

NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH – II  
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 13-07-2021 AT 2.30 P.M THROUGH VIDEO  
CONFERENCING:

PRESENT: SMT. R. SUCHARITHA, MEMBER (JUDICIAL)  
SHRI B. ANIL KUMAR, MEMBER (TECHNICAL)

APPLICATION NUMBER : IA/420/2021  
IN  
PETITION NUMBER : CP/1307/IB/2018  
NAME OF THE PETITIONER : Sri Velagapudi Ramakrishnan  
The Jeypore Sugars & Distilleries Staff & workers union  
NAME OF THE RESPONDENTS : V Venkata Sivakumar (Liquidator)  
The Jeypore Sugars Co Ltd  
UNDER SECTION : Sec 60(5) of IBC, 2016

**ORDER**

Ld. Counsel Mr. Keerthikiran Murali for the Applicant and Learned CA Mr. V.Venkata Sivakumar for the Liquidator/Respondent are present.

This application is filed by the staff and workers union of the Corporate Debtor under liquidation. The 1<sup>st</sup> prayer sought in the application is a “direction to the Liquidator/Respondent to restore the water supply and electricity to the employee quarters at the factory of the Corporate Debtor.” The Corporate Debtor is under CIR Process since 2018. The Liquidator ought to have taken physical possession of the quarters of the Corporate Debtor. However, till date the employees residing in the quarters for one reason or the other have failed to vacate and hand over the vacant possession to the Liquidator. Hence, the 1<sup>st</sup> prayer is rejected.

The Applicant herein is not entitled to reside in the official quarters of the Corporate Debtor under liquidation. The Applicant is in illegal/wrongful possession of the property of the Corporate Debtor. Therefore, the entire quarters under the custody of the employees ought to be vacated on or before 31.07.2021 and the Applicant along with employees of the Corporate Debtor are directed to hand over physical vacant possession of the Corporate Debtor’s property.

In respect of the 2<sup>nd</sup> prayer directing the 1<sup>st</sup> Respondent to admit the claim of the employees of the Applicant, the Respondent/Liquidator is directed to file its counter. Hence, the 2<sup>nd</sup> prayer shall be taken up for hearing on the next date of hearing.

List this matter on **10.08.2021** along with other connected applications for hearing.

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**(ANIL KUMAR B)**  
MEMBER (TECHNICAL)

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**(R. SUCHARITHA)**  
MEMBER (JUDICIAL)