

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT 1)
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL HELD ON 05.01.2021
at 02.15 P.M. THROUGH VIDEO CONFERENCING.

**PRESENT : SHRI R. VARADHARAJAN MEMBER – JUDICIAL
SHRI ANIL KUMAR B. MEMBER - TECHNICAL**

APPLICATION NUMBER :
PETITION NUMBER : IBA/393/2020
NAME OF THE PETITIONER(S) : TVS Automobiles Solutions Pvt Ltd
NAME OF THE RESPONDENT(S) : KPN Travels Solutions Pvt Ltd
UNDER SECTION : Sec.9 Rule 6 of IBC

ORDER

Learned Senior Counsel for Petitioner Mr. Krishna Srinivasan and Learned Senior Counsel for Respondent Mr. Om Prakash are present through video conferencing platform.

Learned Senior Counsel for Corporate Debtor represents that in compliance with the directions issued by this Tribunal, an affidavit has been filed by one Mr. K.P.N. Rajesh on 29.12.2020 vide diary No.4062. The same is taken on record.

It is further represented by Learned Counsel for the Corporate Debtor that a couple of days after filing of the reply statement on 29.12.2020, an Additional typed set has been filed by the Petitioner. Learned Senior Counsel for the Petitioner clarifies that it is only in compliance with the order dated 16.10.2020 as the entire set was omitted to be filed on the previous occasions, a copy of which have also been served upon the Learned Senior Counsel for the Corporate Debtor.

Since the filing has been done after filing of the reply statement by Corporate Debtor, we give an opportunity to the Corporate Debtor to file an additional reply statement in relation to the additional typed set which has been filed by the Petitioner recently after the filing of the written statement.

Learned Senior Counsel for the Petitioner also represents that the Petitioner would like to file rejoinder as certain fresh facts have been brought forth in the reply statement filed by the Corporate Debtor which is required to be controverted.

Let the same be done after filing of the additional reply statement as directed by this Tribunal as above, if any, on the part of the Corporate Debtor. The Additional



reply statement shall be filed by the Corporate Debtor within a period of one week from today and rejoinder to be filed by the Petitioner within a period of two weeks thereafter.

Learned Senior Counsel for the Corporate Debtor also represents that in relation to the order dated 04.12.2020, let there be a clarification that the ordinary course of business of the Corporate Debtor should not be affected in view of the said order to which Learned Senior Counsel for the Petitioner represents that the Petitioner should not stand in the way as the restraint order is pertaining only to the sale of the movable and immovable assets of the Corporate Debtor and that the Corporate Debtor is free to carry on its day to day transactions in relation to the ordinary course of the business behoving its Memorandum of Association for which it has been incorporated.

Post this matter on **02.02.2021**.

-SD-

(ANIL KUMAR B)
MEMBER (TECHNICAL)



-SD-

(R.VARADHARAJAN)
MEMBER (JUDICIAL)