

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT-I)
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL, HELD ON **08.07.2021 at 10.30 A.M**
THROUGH VIDEO CONFERENCING

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

IA/MA/IBA/TCP/TCA/CP/CA No : MA/1359/2019 IN TCP/385/2017
NAME OF PETITIONER : J Jeparaj & 1 Ors
NAME OF RESPONDENT : Jasher Shalin & 1 ors
SECTION : 74 of IBC

ORDER

The Applicant is represented by Mr. Jesus Moris Ravi, Advocate through video conferencing platform.

This Application is filed by the Applicants viz., 1. Mr. J. Jeparaj, S/o. Mr. T. James, 3/4A, Themanoor, Thiruvattar P.O., Kanyakumari District – 629 177 and 2. Mr. J. Robson, S/o. Mr. D. James Wilson, BPTC Malavilai, Cheruppaloor P.O., Kulasekharam, Kanyakumari District – 629 161 –vs- 1. Mr. Jasper Shalin, S/o. Mr. A. Rajamoni, Shalin Nivas, Kallunattu Junction, Chitharal Post, Chitharal, Kanyakumari District – 629 151 and 2. J. Subash, S/o. James, No.321, Travellers Bungalow Road, North Valliyur, Valliyur Post – 627 117.

This Application is filed with the prayer to direct the Respondent to hand over the possession of the property to the Applicant.

This is merely a civil matter.

Learned Counsel for Applicant submits that the Applicant is one of the successful Resolution Applicants, who has taken over possession of M/s. Emmanuel Engineering Pvt. Ltd. as a going Concern and this Adjudicating Authority has recorded the same vide order dated 24.06.2019.

It is further submitted that the Applicants herein have settled the Financial Creditor's due as a going Concern. Hence, the Liquidator has been discharged of his liability and hence handed over M/s. Emmanuel Engineering Pvt. Ltd. to the Applicant herein.

Now this Application has been filed by the Applicant herein against the erstwhile Board of Directors to hand over the possession of the property.

The Applicant has to satisfy this Adjudicating Authority on the maintainability of this Application.

Hence, list this matter on **25.08.2021** for hearing.

-sd-

(ANIL KUMAR B)
MEMBER (TECHNICAL)

-sd-

(R. SUCHARITHA)
MEMBER (JUDICIAL)