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**NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,  
BENGALURU BENCH, BENGALURU, HELD ON 05.03.2021

**THROUGH VIDEO CONFERENCING**

**CAUSE LIST**

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittanala  
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB)No. 92/BB/2018	For report of Liquidator- IA 56/2021 For clarification IA 57/2021 For clarification IA 55/2021 To intervention application - CIRP	Sec 7 of I&B Code 2016	Sri P Pradeep Kumar and others	India Law LLP Advocates	M/s Gruha Kalyan Housing Projects Pvt Ltd	Shankar B Iyer , Liquidator , Anuparna Bordoloi for IA 56/2021  Kruthika Raghavan for IA 57/2021 & 55/2021

ADVOCATE FOR PETITIONER/s:

Anuparna Bordoloi for IA No 56/2021 *A Baeelle*  
Ritika Shreea Rajesh for IA No 57/2021 & 55/2021 *Ritika Shreea*  
Ritika Shreea

ADVOCATE FOR RESPONDENT/s: \_\_\_\_\_

P.T.O

**ORDER**

Heard Ms. Anuparna Bordoloi, learned Counsel for Applicants in IA No.56 of 2021 and Ms. Rithu Shree Rajesh, learned Counsel for Applicants in IA Nos.55 & 57 of 2021.

IA Nos.55, 56 & 57 of 2021 in CP (IB)No.92/BB/2018 are disposed of by separate order.

Post the main CP on **01.04.2021.**



**MEMBER(T)**



**MEMBER(J)**

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH**

**I.A.Nos.55, 56 & 57 of 2021**

U/s. 60(5)(c) of the IBC, 2016

R/w Rules 11 & 32 of the NCLT Rules, 2016

In

C.P.(IB)No.92/BB/2018

**For I.A. Nos.55 & 57 of 2021:**

**Between:**

**Ms. Manjula Doma Roy Verghese**

#23, 1<sup>st</sup> Cross, Sanjeevappa Garden,  
Kalkere Channasandra,  
Horamavu,  
Bengaluru – 560 043. & two others

- Applicants

**For I.A. No.56 of 2021:**

**Mr. M.V. Ravi**

#31, C/o SRGVVK trust,  
JP Nagar, 8<sup>th</sup> Phase, 2<sup>nd</sup> Block,  
Vaddrapalya, Gottigere,  
Bengaluru – 560 083. & sixteen others

- Applicants

**And**

**M/s. Gruha Kalyan Housing**

**Projects Pvt. Ltd. (in liquidation)**

*Represented by its Liquidator,*

*Mr. Shankar B Iyer*

32/A, 9<sup>th</sup> Main, Section 6,  
HSR Layout, Near Empire Hotel,  
Bengaluru – 560 102. & another

- Respondents



**Date of Order: 05<sup>nd</sup> March, 2021**

**Coram:** 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)  
2. Hon'ble Shri Ashutosh Chandra, Member (Technical)

**Parties/Counsels Present:**

**For I.A. Nos.55 & 57 of 2021:**

For the Applicants : Ms. Rithu Sheree Rajesh  
For the Respondent No.1 : Mr. Shankar B Iyer

**For I.A. Nos.56 of 2021:**

For the Applicants : Ms. Anuparna Bordoloi  
For the Respondent No.1 : Mr. Shankar B Iyer

**COMMON ORDER**

**Per:** Rajeswara Rao Vittanala, Member (J)

1. I.A.Nos.55 & 57 of 2021 in C.P.(IB)No.92/BB/2018 are filed by Ms. Manjula Doma Varghese & two others ('Applicants'), U/s. 60(5)(c) of the IBC, 2016, R/w Rules 11 & 32 of the NCLT Rules, by inter alia seeking to allow the Applicants to intervene in the above matter to seek appropriate clarifications from this Tribunal; to clarify that the Corporate Debtor and Gruha Kalyan, the Proprietorship Firm are distinct entities and not the same entity; to clarify the moratorium or any other proceedings in relation to liquidation of the Corporate Debtor shall not be applicable/affect and proceedings in relation to Gruha Kalyan, Proprietorship Firm etc.
2. I.A.No.56 of 2021 in C.P.(IB)No.92/BB/2018 are filed by Mr. V. Ravi & Sixteen others ('Applicants'), U/s. 60(5)(c) of the IBC, 2016, R/w Rules 11 & 32 of the NCLT Rules, by inter alia seeking to permit the Applicant



to submit their claim before the Liquidator in case this Tribunal holds that Corporate Debtor and Gruha Kalyan, the Proprietorship Firm are not distinct entities and they are the same entity etc.

3. Initially, C.P.(IB)No.92/BB/2018 filed by Mr. P. Pradeep Kumar & Others, under Section 7 of the IBC, 2016, R/w Rule 4 of the I&B (AAA) Rules, 2016, was admitted by this Adjudicating Authority vide order dated June 27<sup>th</sup>, 2019 by initiating CIRP, appointing Ms. Medha Kulkarni as the IRP, imposing moratorium etc. Subsequently, the Adjudicating Authority, vide its order dated September 11<sup>th</sup>, 2019 allowed the Application filed by the existing IRP to change the Resolution Professional of the Corporate Debtor and thus appointed Shri Shankar B. Iyer as the RP in place of Ms. Medha Kulkarni.
4. Heard Ms. Rithu Shree Rajesh, learned Counsel for the Applicants in I.A. Nos.55 & 57 of 2021 and Ms. Anuparna Bordoloi, learned Counsel for the Applicants in I.A. No.56 of 2021. We have carefully perused the pleadings of the Parties and extant provisions of the Code and the Rules made thereunder.
5. Both the learned Counsels for the Applicants submits that in view of the Order dated 09.09.2020 passed in I.A. No.247 of 2020 in C.P.(IB)No.92/BB/2018, the issues raised in the Instant Applications are already been covered. Therefore, Applications can be disposed of in terms of above order.
6. Since, the learned Counsel for the Applicants submits that the Order passed by this Adjudicating Authority in I.A.No.247 of 2020 covers and suffice to their grievances, we are inclined to dispose of the Instant Applications as mentioned below.



7. In the result, I.A.Nos.55, 56 & 57 of 2021 in C.P.(IB)No.92/BB/2018 are hereby disposed of by clarifying that these issues are already covered by an Order dated 09.09.2020 passed by this Adjudicating Authority in I.A.No.247 of 2020, and thus no further Orders are required. No order as to costs.

**(ASHUTOSH CHANDRA)**  
**MEMBER, TECHNICAL**

**(RAJESWARA RAO VITTANALA)**  
**MEMBER, JUDICIAL**

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