C.P. (IB)No.18/GB/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021

Name of the Company: R.S.H. Agro Products

V/s

Punjab National Bank and others

Section of the Companies Act: Under Section 10 of IBC, 2016

S. NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION				<u>SIGNATURE</u>
1.	MR. B. R. PRASAD	Advocate	Petitioner	Present in
2.	MR. MUKESH SHARMA	Advocate	R-2 & 3	Video
3.	MR. AVINABH KUMAR	Sr. Manager	R-1 PNB	Conference

ORDER Date of Order: 30.08.2021

The matter is taken up for hearing through Video Conferencing. Learned Counsels Mr. B. R. Prasad is appearing for the Petitioner, Mr. Mukesh Sharma is appearing for the Respondents No.2 and 3 ICICI Bank and HDFC Bank and Mr. Avinash Kumar, Senior Manager appearing for the Respondent No.1 Punjab National Bank.

- 2. The learned Counsel for the Petitioner has submitted the details of the loans availed, date of default and the Special Resolution passed by the shareholders. On the other hand, the Respondents have confirmed receipt of the copy of the Petition. The Respondent No.1 Punjab National Bank wanted to oppose the Petition and he has prayed for 3 weeks' time to file reply. Since the Petition is under Section 10 of IBC, two weeks' time is granted. All the Respondents are at liberty to file reply within two weeks from today and copy of the same to be given to the Petitioner.
- List the matter on 21.09.2021.

Sd/-(Prasanta Kumar Mohanty) Member (Technical)

& Adjudicating Authority /Deka-30.08.2021/

& Adjudicating Authority

CA (AA)/12/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021

Name of the Company: Maxim Infrastructure & Real Estate Pvt. Ltd.

With

Maxim Infrastructure & Real Estate (Shillong) Pvt. Ltd.

Section of the Companies Act: Under Section 230 – 232 of the Companies Act,

2013

S. NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE

1. MR. P. GAGGAR Advocate Petitioners Present in Video

Conference

ORDER Date of Order: 30.08.2021

The matter is taken up for hearing through Video Conferencing. Learned Counsel Mr. P. Gaggar appearing for the Petitioners is present. He has prayed for admitting the Petition. Resolution Plan has been approved for the Petitioners, but it is reported that some stakeholders have filed appeal before the Hon'ble NCLAT against the Order of this Bench approving the Resolution Plan. The matter is yet to be disposed of by the Hon'ble NCLAT. At this stage, it is not appropriate to entertain this Petition. However, 7 days' time is given to the Petitioner as prayed for to file written submission.

2. List the matter on 16.09.2021.

Sd/-(Prasanta Kumar Mohanty) Member (Technical) /Deka~30.08.2021/

CP (AA)/3/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021

Name of the Company: Assam Timber Products Pvt. Ltd.

And

Ravi Marketing and Services Pvt. Ltd.

Section of the Companies Act: Under Section 230 – 232 of the Companies Act,

2013

S. NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE

1. MS. NEHA SOMANI Advocate Petitioners Present in Video

Conference

ORDER Date of Order: 30.08.2021

The matter is taken up for hearing through Video Conferencing. Learned Counsel Ms. Neha Somani is present on behalf of the Petitioners. She has submitted that this Petition is for Second Motion and the directions given by this Bench earlier have been complied with. She is pressing for passing the Order as prayed for. However, the Petitioners are hereby directed to file an Affidavit within 7 days from today that they are not coming under Section 29A of IBC.

2. The matter is reserved for orders.

Sd/-(Prasanta Kumar Mohanty) Member (Technical) Sd/-(H. V. Subba Rao) Member (Judicial)

/Deka-30.08.2021/

CP (AA)/4/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021

Name of the Company: Vanraj Suppliers Pvt. Ltd.

And

Shree Shyam Tea Pvt. Ltd.

Section of the Companies Act: Under Section 230 – 232 of the Companies Act,

2013

S. NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE

1. MS. NEHA SOMANI Advocate Petitioners Present in Video

Conference

ORDER Date of Order: 30.08.2021

The matter is taken up for hearing through Video Conferencing. Learned Counsel Ms. Neha Somani is present on behalf of the Petitioners. She has submitted that this Petition is for Second Motion and the directions given by this Bench earlier, have been complied with. She is pressing for passing the Order as prayed for. However, the Petitioners are hereby directed to file an Affidavit within 7 days from today that they are not coming under Section 29A of IBC.

2. The matter is reserved for orders.

Sd/-(Prasanta Kumar Mohanty) Member (Technical) Sd/-(H. V. Subba Rao) Member (Judicial)

/Deka-30.08.2021/

IA (IBC) No.41 of 2021 IN C.P. (IB)No.18/GB/2018

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021

Name of the Company: CFM Assets Reconstructions Pvt. Ltd. & Another

Versus

State Bank of India & Others

Section of the Companies Act: Under Section 60(5) of IBC, 2016 read with Rule 11

of NCLT Rules, 2016

S. NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE

1. MR. PRANAY AGARWAL Advocate Petitioners Present in Video

1. MR. DEBASISH CHOUDHURY Advocate R-1 (SBI) Conference

ORDER Date of Order: 30.08.2021

The matter is taken up for hearing through Video Conferencing. Learned Counsel Mr. Pranay Agarwal is appearing on behalf of the Petitioners. Respondent No.1 State Bank of India is represented by the learned Counsel Mr. Debasish Choudhury.

- 2. This Petition has been filed jointly by the Resolution Applicants praying for the following reliefs:
 - (a) Issue necessary orders allowing /permitting a slight digression from the terms of the approved resolution plan, as on page 35 of the Plan, with respect to the release of security in favour of the Respondent No.2 herein instead of assignment of debt to Applicant No.1 herein, keeping in mind the Covid scenario and its economic viability.

- (b) Issue necessary orders directing the Respondents herein to expedite the process of release of security in favour of Jumbo Roofings and Tiles, the Applicant No.2 herein, so that the implementation of the resolution plan may be completed at a faster pace for the benefit of the creditors.
- 3. During the proceedings, the learned Counsel for the Respondent No.1 State Bank of India has confirmed that it has no objection to the request made by the Petitioners. Nobody was present for the Respondent No.2, North Eastern Development Finance Corporation and the Respondent No.3, Indian Bank. The learned Counsel appearing for the Petitioners has submitted that the other two Respondents are also agreeable to the proposal subject to payment of Rs.7.00 crores (Rupees Seven crores only). At this stage, the learned Counsel for the Petitioners has submitted they are ready to deposit Rs.7.00 crores (Rupees Seven crores only) in advance with the State Bank of India for releasing the security in favour of the Respondent No.2 instead of assignment of debt to Applicant No.1 keeping in mind the Covid scenario and its economic viability of the Plan.
- 4. Heard all the Counsels. The Petitioners are permitted to deposit Rs.7.00 crores (Rupees Seven crores only) with the State Bank of India and the State Bank of India is directed not to utilize or distribute the said amount of Rs.7.00 crores (Rupees Seven crores only) till the disposal of this Petition.
- 5. The Petitioners as well as the Respondents are directed to file an Affidavit within two weeks from today that they have no objections in permitting a slight digression from the terms of the approved resolution plan as prayed for by the Petitioners and release of the security in favour of the Petitioner No.2, within two weeks from today.
- 6. The Petitioners are directed to convey the next date of hearing to the Respondents not present today.
- 7. List the mater on 23.09.2021.

Sd/(Prasanta Kumar Mohanty)
Member (Technical)
& Adjudicating Authority
/Deka-30.08.2021/

Sd/-(H. V. Subba Rao) Member (Judicial) & Adjudicating Authority

C.P. No.01/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE **NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021**

Name of the Company: Parasramka Project Pvt. Ltd.

V/s

Williamson Financial Services Ltd. and others

Section of the Companies Act: Under Section 59 & 213 of the Companies Act, 2013

S. NO. NAME (CAPITAL LETTERS) **DESIGNATION REPRESENTATION SIGNATURE** MS. NIHARIKA AHLUWALIA Advocate Petitioner Present in Video 2. NONE Conference

Respondents

<u>ORDER</u>

Date of Order: 30.08.2021

This matter is taken up through Video Conferencing. Learned Counsel Ms. Niharika Ahluwalia is present representing the Petitioner. Heard the Petitioner.

- 2. Registry is directed to issue notice to the Respondents.
- 3. List the matter on 24.09.2021.

Sd/-(Prasanta Kumar Mohanty) **Member (Technical)** /Deka-13.08.2021/

C.P. (IB)No.12/GB/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08. 2021

Name of the Company: Srei Infrastructure Finance Ltd.

V/s

Assam Electronic Development Corporation Ltd.

(AMTRON)

Section of the Companies Act: Under Section 8 & 9 of Insolvency and Bankruptcy

Code, 2016

S. NO. NAME (CAPITAL LETTERS)
 DESIGNATION REPRESENTATION SIGNATURE
 MR. S. BANERJEE Advocate Petitioner Present in Video
 MR. K. GUPTA Advocate Respondent Conference

ORDER Date of Order: 30.08.2021

This matter is taken up through Video Conferencing. Learned Counsels Mr. S. Banerjee is present on behalf of the Petitioner and Mr. K. Gupta is present on behalf of the Respondent. As per the earlier Order, the Petitioner was supposed to file rejoinder, but the learned Counsel appearing for the Petitioner has submitted that the rejoinder has been prepared but it could not be submitted before the Registry due to Covid 19 restrictions. Hence, he may be given short time to submit the same. The learned Counsel for the Respondent has confirmed that it has received the copy of the Rejoinder from the Petitioner. The Petitioner is directed to file the rejoinder before the Registry in a day or two, as the Application filed here is under Section 9 of IBC.

2. List the matter on 07.09.2021.

Sd/(Prasanta Kumar Mohanty)
Member (Technical)
& Adjudicating Authority

Sd/-(H. V. Subba Rao) Member (Judicial) & Adjudicating Authority /Deka-30.08.2021/

C.P. No.06/GB/2021

Coram:

Hon'ble Shri H. V. Subba Rao, Member (J): Hearing through Hon'ble Shri Prasanta Kumar Mohanty, Member (T): Video Conference

ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.08.2021

Name of the Company: Akansha Tea Plantation & Trading Company Pvt. Ltd.

V/s

Registrar of Companies, NER, Guwahati

Section of the Companies Act: Under Section 251(1) & 252 (3) of the Companies

Act, 2013

S. NO. NAME (CAPITAL LETTERS)

DESIGNATION
REPRESENTATION
SIGNATURE

1. MR. M. K. BORDOLOI
Advocate
Petitioner
Respondent
Conference

ORDER Date of Order: 30.08.2021

This matter is taken up through Video Conferencing. Learned Counsel Mr. M. K. Bordoloi is appearing on behalf of the Petitioner. The learned Counsel of the Petitioner has filed Affidavit stating that the copy of the Petition has been submitted. Neither the ROC nor the Income Tax Authority has objected to his Petition and he has prayed for admission of the Petition. No one is present from the side of the Respondent and no reply has been received. Hence, one more opportunity is given to the Respondents to file their objections, if any, within 10 days from today.

- 2. Registry is directed to issue notice to the ROC and Income Tax Authority. The Petitioner is also directed to convey the next date of hearing to the Respondents and file proof of service of this Order within 7 days from today.
- 3. **List the matter on 16.09.2021.**

Sd/(Prasanta Kumar Mohanty)
Member (Technical)

/Deka-30.08-2021/