

NCLT, KOCHI BENCH

Daily Orders – Draft

In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)

Date: 27th April 2021

1 IBA/48/KOB/2019

Learned counsel for the Operational Creditor Ms Jeslin as well as learned counsel for the Corporate Debtor Shri Terry V. James appeared through VC. Today the case is posted for pronouncement of orders. In the last hearing the parties were also directed to file settlement memo, if any, before this date, if they so desire.

Today the learned counsel for both the parties submitted that the matter has already been settled. Ms Jeslin specifically submitted that she has received instructions from her client to withdraw the case. Her submission is recorded.

The matter is, therefore, de-reserved and released from pronouncement of orders. The parties are directed to file the settlement memo within two days positively.

Let the matter be listed on 30.04.2021.

Registry is directed to issue copy of this order to the learned counsel of both the parties through email.

2 CP/46/KOB/2020

Learned counsel for the Petitioner Shri Zibi Jose appeared through VC. Orders pronounced. **CP/46/KOB/2020 is disposed of vide separate order.**

3 CA/09/KOB/2021

None appears for the parties. Orders pronounced. **CA/09/KOB/2021 is allowed vide separate order.**

4 REPORT/36/KOB/2021 IN MA/05/KOB/2020 IN TIBA/1/KOB/2019

Learned liquidator Shri Shawn Jeff Christopher appeared through VC. This is an interim progress report submitted by the liquidator for the period 20.02.2021 to

31.03.2021. I have perused the report. The report is taken on record. Registry shall place the report on record.

5 IA(IBC)/51/KOB/2021 IN MA/05/KOB/2020 IN TIBA/1/KOB/2019

Learned liquidator Shri Shawn Jeff Christopher as well as learned counsel for R1 & R2 Shri Simod Sivan appeared through VC. Shri Simod Sivan sought an adjournment to file the counter stating that he and his clients are under quarantine due to Covid 19. He also stated that he has already prepared the counter and waiting for the signature of R1 & R2. On the other hand, the liquidator submitted the R1 & R2 are dragging the matter. Anyhow, submission of Shri Simod Sivan is recorded. He may file the counter within two weeks positively.

Let the matter be listed on 19.05.2021 for hearing.

Registry is directed to issue copy of this order to the learned counsel of R1 R2 and also to the Liquidator.

6 TCP/40/KOB/2019

Learned counsel for the Petitioner Shri Philip Mathew as well as learned counsel for R3 Shri Sankar P. Panicker appeared through VC. Pleadings are complete.

Shri Philip Mathew submitted that the matter related to this case is still pending before the Hon'ble High Court of Kerala and it is likely to be taken up for hearing immediately after the summer vacation. The High Court is reopening on 17.05.2021.

Let the matter be adjourned to 01.06.2021.

7 IA/56/KOB/2020 IN TCP/61/KOB/2019

Learned counsel for the applicants Shri Shameem Ahamed sought an adjournment through email stating that due to the ongoing Covid 19 containment restrictions, some documents relating to the matter has not been received by him. Learned counsel for the respondents Smt Manjula Devi expressed willingness to appear through VC.

Let the matter be adjourned to 28.05.2021.

8 IA/57/KOB/2020 IN TCP/61/KOB/2019

Learned counsel for the applicants Shri Shameem Ahamed sought an adjournment through email stating that due to the ongoing Covid 19 containment restrictions, some documents relating to the matter has not been received by him. Learned

counsel for the respondents Smt Manjula Devi expressed willingness to appear through VC.

Let the matter be adjourned to 28.05.2021.

9 TCP/61/KOB/ 2019 (CP/531/2019)

Learned counsel for the Petitioners Shri Shameem Ahamed sought an adjournment through email stating that due to the ongoing Covid 19 containment restrictions, some documents relating to the matter has not been received by him. Learned counsel for the respondents Smt Manjula Devi expressed willingness to appear through VC.

Let the matter be adjourned to 28.05.2021.

10 CP/98/KOB/2019

Learned counsel for the Petitioner Shri Sukumar Nainan Oommen appeared through VC. Learned PCS for R4 Shri PP Zibi Jose also appeared through VC.

Shri Zibi Jose sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Let the matter be adjourned to 10.06.2021.

Registry is directed to issue copy of this order to the learned counsel of all the parties through email.

11 CONTEMPT PETITION/08/KOB/2020 IN CP/99/KOB/2019

Learned counsel for the Contempt Petitioner Shri Sukumar Nainan Oommen appeared through VC.

Since the related CP is adjourned, this **Contempt Peition be also adjourned to 10.06.2021.**

12 CP/99/KOB/2019

Learned counsel for the Petitioner Shri Sukumar Nainan Oommen appeared through VC. Learned PCS for for R3 Shri PP Zibi Jose also appeared through VC.

Shri Zibi Jose sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Let the matter be adjourned to 10.06.2021.

Registry is directed to issue copy of this order to the learned counsel of all the parties through email.

13 CP/100/KOB/2019

Learned counsel for the Petitioner Shri Sukumar Nainan Oommen appeared through VC. Learned PCS for for R3 Shri PP Zibi Jose also appeared through VC.

Shri Zibi Jose sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Let the matter be adjourned to 10.06.2021.

Registry is directed to issue copy of this order to the learned counsel of all the parties through email.

14 CP/101/KOB/2019

Learned counsel for the Petitioner Shri Sukumar Nainan Oommen appeared through VC. Learned PCS for for R3 Shri PP Zibi Jose also appeared through VC.

Shri Zibi Jose sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Let the matter be adjourned to 10.06.2021.

Registry is directed to issue copy of this order to the learned counsel of all the parties through email.

15 CP/102/KOB/2019

Learned counsel for the Petitioner Shri Sukumar Nainan Oommen appeared through VC. Learned PCS for for R3 Shri PP Zibi Jose also appeared through VC.

Shri Zibi Jose sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Let the matter be adjourned to 10.06.2021.

Registry is directed to issue copy of this order to the learned counsel of all the parties through email.

16 CP/103/KOB/2019

Learned counsel for the Petitioner Shri Sukumar Nainan Oommen appeared through VC. Learned PCS for R3 Shri PP Zibi Jose also appeared through VC.

Shri Zibi Jose sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Let the matter be adjourned to 10.06.2021.

Registry is directed to issue copy of this order to the learned counsel of all the parties through email.

17 CONTEMPT PETITION (CP)/1/KOB/2021 IN CP/21/KOB/2020

Learned counsel for the Contempt Petitioners Shri Bijoy P. Pulipra as well as learned counsel for R1-R6 Shri V.Ajakumar appeared through VC.

Heard both sides. Reserved for orders. **List for pronouncement of orders on 26.05.2021.**

18 CA/36/KOB/2021 IN IA/198/KOB/2020 IN CP/21/KOB/2020

Learned counsel for the Applicants Shri Bijoy P. Pulipra appeared through VC. Learned counsel for R1 Smt. Sabeela CB, learned counsel for R2 to R7, R9 & R10 Shri V. Ajakumar, learned counsel for R8 & R16 Shri Saji Varghese, learned counsel for R11, R18 to R20 & R22 Shri Vinod V. Luka, learned GP for R12 & R13 Shri Mohammed Fazil, learned counsel for R14 & R15 Shri Ponnal Alex and learned counsel for R17 and R23 Shri Mohan Pulickkal also appeared through VC.

Adjourned to 26.05.2021 for hearing.

19 CA/10/KOB/2021 IN CP/21/KOB/2020

Learned counsel for the Applicants Shri V. Ajakumar appeared through VC. Learned counsel for R1 to R8 Shri Bijoy P. Pulipra, learned counsel for R9 Ms Sabeela CB, learned counsel for R10 & R16 Shri Saji Varghese, learned counsel for R11, R18 to R20, R22 Shri Vinod V. Luka, learned GP for R12 & R13 Shri Mohammed Fazil, learned counsel for R14 & R15 Shri Ponnal Alex and learned counsel for R17 Shri Mohan Pulickkal appeared through VC.

Adjourned to 26.05.2021 for hearing.

20 IA/226/KOB/2020 IN CP/21/KOB/2020

Learned counsel for the applicant Ms Sabeela CB appeared through VC. Learned counsel for R1 Shri Bijoy P. Pulipra, learned counsel for R2 to R7, R9 & R10 Shri V. Ajakumar, learned counsel for R8 & R16 Shri Saji Varghese, Learned counsel for R11, R18, R20 and R22 Shri Vinod V. Luka, learned GP for R12 & R13 Shri Mohammed Fazil, learned counsel for R14 & R15 Shri Ponnann Alex and learned counsel for R17 Shri Mohan Pulickkal appeared through VC.

Adjourned to 26.05.2021 for hearing.

21 CP/21/KOB/2020

Learned counsel for the petitioners Shri Bijoy P. Pulipra appeared through VC. Learned counsel for R1 Ms Sabeela, learned counsel for R2 to R7, R9 & R10 Shri V. Ajakumar, learned counsel for R8 & 16 Shri Saji Varghese, learned counsel for R11, R18 to R20 & R22 Shri Vinod V. Luka, learned GP for R12 & R13 Shri Mohammed Fazil, learned counsel for R14 & R15 Shri Ponnann Alex and learned Counsel for R17 & 23 Shri Mohan Pulickkal appeared through VC.

Adjourned to 26.05.2021 for hearing.

22 CP/11/KOB/2021

Learned counsel for the Petitioners Shri Aswin Gopakumar sought an adjournment through email stating that he wants to file the rejoinder. Allowed. Learned counsel for R1 Shri Tobias Powell expressed willingness to appear through VC.

Let the matter be adjourned to 31.5.2021.

23 CP/126/KOB/2019

Learned PCS for R1 – R3 Shri PP Zibi Jose appeared through VC and sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Learned counsel for the Petitioners Shri Philip Mathew expressed willingness to appear through VC.

Let the matter be adjourned to 28.5.2021.

24 IA/215/KOB/2020 IN CP/38/KOB/2020 c/w CP/126/KOB/2019

Learned PCS for R1 & R5 Shri PP Zibi Jose appeared through VC and sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Learned counsel for the Applicants Shri Philip Mathew expressed willingness to appear through VC.

Let the matter be adjourned to 28.5.2021.

25 CP/38/KOB/2020

Learned PCS for R1 & R5 Shri PP Zibi Jose appeared through VC and sought an adjournment stating that he is not in a position to argue the matter due to Covid 19 vaccination.

Learned counsel for the Petitioners Shri Philip Mathew expressed willingness to appear through VC.

Let the matter be adjourned to 28.5.2021.