

NCLT, KOCHI BENCH

Daily Orders – Draft

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

Date: 10th Feb 2021

1 MA/186/KOB/2020 in MA/113/KOB/2020 in TIBA/9/KOB/2019

Learned counsel for the applicant Shri Vijay V.Paul alongwith the learned Resolution Professional Shri R.Velu as also learned counsel for the respondent Shri A.Kevin Thomas appeared through VC. **Orders pronounced. MA stands dismissed vide common order in separate sheets.**

2 IA(IBC)/16/2021 in MA/113/KOB/2020 in TIBA/9/KOB/2019

Learned counsel for applicant Shri A.Kevin Thomas as also learned counsel for respondents Shri Vijay V.Paul appeared through VC. **Orders pronounced. IA stands disposed vide common order in separate sheets.**

3 CA/6/KOB/2021

Learned counsel Shri Ranjit Rajappan represented the learned counsel for the appellant. **Orders pronounced. CA disposed of vide separate sheets.**

4 IA/IBC/40/KOB/2021 in IBA/38/KOB/2019

No response either from the Resolution Professional or his learned counsel. Adjourned to **17.2.2021** for hearing.

5 IA/38/KOB/2021 in IBA/04/KOB/2020

Learned counsel for applicant Shri P.Sathisan along with the Resolution Professional Shri K.Easwara Pillai appeared through VC. This IA has been filed under Section 12(2) of IBC, 2016 by the Resolution Professional against Mr.Thomas George and others praying that (a) to pass an order directing the Respondent to make good the losses caused to the creditors of the Corporate Debtor as concluded in the present application as envisaged under Section 67(2) of the Code (b) to hold the respondents personally liable for such deliberate and wilful default. © to declare the transaction as concluded in the present application as fraudulent transaction (d) to direct the respondents to furnish all such documents as sought by the applicant and (e) report the transactions to the IBBI or making a complaint to the Special Court under Section 236 of the Code.

Heard the learned counsel for applicant. Applicant is directed to issue notice to the respondents through Registered AD enclosing copy of this application and produce proof of service with the AD Card/Postal track report with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents through email, directing them to file their counter, if any, before the next date fixed. **List on 5.3.2021** for hearing.

6. IA(IBC)39/KOB/2021 in TIBA/03/KOB/2019

Learned counsel for the applicant Shi Ashok B Shenoy appeared through VC. Learned counsel Shri Vinod PV appeared for the respondents and stated that this IA has become infructuous in view of the approval of the Resolution Plan by this Tribunal on 29.1.2021. However, he has stated that he shall file a counter regarding the interest to be paid to the applicants. He may do so within two weeks. List on **4.3.2021** for hearing.

7. MA/183/KOB/2020 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

8. MA/185/KOB/2020 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

9. MA/201/KOB/2020 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

10. MA/208/KOB/2020 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

11. IA(IBC)4/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

12. IA(IBC)5/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

13. IA(IBC)6/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

14. . IA(IBC)7/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

15. IA(IBC)8/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

16. IA(IBC)9/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

17. IA(IBC)10/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

18.. IA(IBC)11/2021 in TIBA/03/KOB/2019

Learned counsel for applicant(s) Ms. Jinnu Sara George appeared through VC and sought time to file a rejoinder to the counter filed by the respondent. Learned counsel for the respondent Shri Vinod PV appeared and stated that he has already filed counter. **Arguments heard. Orders reserved. List for pronouncement of orders on 16.3.2021. Rejoinder, if any be filed within a week.**

19. CP/128/KOB/2019

Learned counsel for the applicant Shri Arun Babu as also learned counsel for the respondents 1 to 3 Shri Philip Mathew appeared through VC. Learned counsel for the respondents stated that the valuer visited the company's properties and that the Valuer will submit his report within ten days. He has also stated that on receipt of the valuation report, the parties may explore the possibility of settling the matter by purchase by either side the shares of the company, so that the matter can be disposed of. The suggestion of the learned counsel is recorded. List on 19.3.2021 for hearing, before that date the parties can report settlement, if any. Registry is directed to send a copy of this order through email to both counsels.

20. TCP/81/KOB/2019

Learned counsel for the petitioner Shri Philip Mathew intimated his willingness to appear through VC. However, learned counsel for the respondents Shri TK Bhaskar sent a mail stating that due to a case having been posted for hearing before the Hon'ble High Court of Madras in the afternoon session today, an adjournment is required in this matter. He has also stated that he has duly informed the

learned counsel for the petitioner of this fact. Adjourned for hearing as PART HEARD on **15.02.2021 at 2.30 pm.**

21. TCA/29/KOB/2019

Learned counsel for the petitioner Shri Vijay V.Paul and the learned counsel for the respondents Shri Philip Mathew intimated his willingness to appear through VC. However, learned counsel for the respondents in TCP/81/KOB/2019 (which matter is connected to this case) Shri TK Bhaskar sent a mail stating that due to a case having been posted for hearing before the Hon'ble High Court of Madras in the afternoon session today, an adjournment is required in this matter Adjourned for hearing as PART HEARD on **15.02.2021 at 2.30 pm.**

22. IA/209/KOB/2020 in CP/42/KOB/2020

Learned counsel for the applicant Shri Sunil Shanker and learned counsel for Respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. This I A will be taken up along with the main CP 42/KOB/2020 on **4.3.2021.**

23. CP/42/KOB/2020

Learned counsel for the applicant Shri Sunil Shanker and learned counsel for Respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. List for hearing on **4.3.2021.**

24. CA/5/KOB/2021 in CP/50/KOB/2020

Learned counsel for the applicant Shri Madhu Radhakrishnan and learned counsel for respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. This CA has been filed by the petitioner for amendment of the CP. Learned counsel for respondents 1 to 5 sought three days' time to file a counter to this CA. He may do so. List **on 4.3.2021.**

25. CP/50/KOB/2020

Learned counsel for the applicant Shri Madhu Radhakrishnan and learned counsel for respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. List the CP on **4.3.2021.**

26. CA/4/KOB/2021 in CP 51/KOB/2020

Learned counsel for the applicant Shri Madhu Radhakrishnan and learned counsel for respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. This CA has been filed by the petitioner for amendment of the CP. Learned counsel for respondents 1 to 5 sought three days' time to file a counter to this CA. He may do so. List **on 4.3.2021.**

27. CA/6/KOB/2021 in CP 51/KOB/2020

Learned counsel for the applicant Shri Madhu Radhakrishnan and learned counsel for respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. This CA has been filed by the petitioner for staying the proceedings pursuant to Annexure A9 in the CP. Learned counsel for respondents 1 to 5 sought three days' time to file a counter to this CA. He may do so. List **on 4.3.2021.**

28. CP/51/KOB/2020

Learned counsel for the applicant Shri Madhu Radhakrishnan and learned counsel for respondents Shri AN Rajan Babu and Muhammed Fazil appeared through VC. The learned counsel for the Respondents 1 to 5 Shri Rajan Babu stated that since the AGM of the Yogam is to be held before 31st March, 2021, he wants to withdraw the undertaking given by him on 10.12.2020. The learned counsel for the petitioner stated that the matter may be heard at the earliest. From the order dated 6th January, 2021 in IA 213/KOB/2020 it is seen that the undertaking given the learned counsel on 10.12.2020 was extended until further orders. Hence list the CP **on 4.3.2021, on** which date the prayers of the respondents to withdraw the undertaking will be considered.

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