

Bench:

Hon Shri Ashok Kumar Borah, Member (Judicial)

Hon'ble Shri Satya Ranjan Prasad, Member (Technical)

1. IA/38/KOB/2021 in IBA/04/KOB/2020

Learned counsel for the applicant Shri P.Sathisan appeared through proxy counsel and learned counsel for R1 Shri Pradeep Joy appeared. **Orders pronounced by the Member (Judicial) under Rule 151 of NCLT Rules,2016. IA/38/KOB/2021 stands disposed of vide separate sheets.**

Bench:

Hon'ble Shri Ashok Kumar Borah Member (Judicial)

Hon'ble Shri Rajesh Sharma, Member (Technical)

2. CA/68/KOB/2021

Shri Sukumar Ninan Oomen, learned counsel for applicant and Shri PP Zibi Jose, learned PCS for R3 appeared through V.C. Heard the learned counsel for the applicant. Since the main Company Petition is posted to 28.7.2021 for final hearing, list this CA along with it on 28.7.2021. List on 28.7.2021.

3. CA/69/KOB/2021

This CA/69/KOB/2021 has been filed by the applicant in CA/46/KOB/2020 praying to condone the delay ie., upto 11.6.2021 in filing the order of this Tribunal dated 27.4.2021 with the ROC along with the requisite documents. In view of the fact that the date 11.6.2021 has already been gone and today is 9.7.2021, the prayer in the CA has become infructuous. Hence **CA/69/KOB/2021 stands dismissed** as infructuous with liberty to the applicant to file fresh CA, if so advised.

4. MA(C/ACT/1/KOB/2021

Learned PCS Shri Zibi Jose appeared through VC. The reliefs sought in this MA are (i) to permit amendment of all reliefs claimed in the CA(CAA)/01/KOB/2021 by deletion of the same and instead the following reliefs may be substituted:

- (i) To waive the requirements of convening the meeting of share holders of the Transferor Company (Bescoat Clays Private Limited) including the requirement of issue and publication of notices for the same.
- (ii) To waive the requirements of convening the meeting of shareholders and the creditors of the Transferee Company (Southern Clays and Minerals Private Limited) including the requirements of issue and publication of notices for the same.

Since there was a direction of this Tribunal to produce the no objection letters from creditors and shareholders as the total number of creditors and shareholders were small in numbers, the entire documents were filed by the applicants by Memorandum dated 27.4.2021. On 31.5.2021 this Tribunal observed that the prayers in the CA(CAA)/01/KOB/2021 have to be amended in view of the submission of additional documents, the above amendments were sought in the relief portion.

**Hence MA(C/Act)/01(KOB)/2021 stands allowed.** Registry is directed to incorporate the reliefs as stated above in the CA/CAA/01/KOB/2021 deleting the present reliefs.

5. MA/IBC/4/KOB/2021

Learned PCS Dr. K.S.Ravichandran for applicant and Shri Vijay V. Paul and Vinod PV appeared for the respondents through VC. List for hearing **on 27.07.2021**. Learned R.P Satyadevi Alamuri is directed to personally appear through VC during the next posting date.

Registry to issue a copy of this order through email to the Resolution Professional.

6. IA/33/KOB/2021

Learned counsel for applicant Shri Vijay V. Paul and learned counsel for the respondents Dr. K.S.Ravichandran appeared through VC. List this IA for hearing on **27.7.2021** with connected matters.

7. IA(IBC)78/KOB/2021

Learned counsel for the RP Shri Vinod PV as well as learned PCS for respondents Dr. KS Ravichandran appeared through VC. List on **27.7.2021** on that day learned RP Satyadevi Alamuri is directed to personally appear through VC during the next posting date.

Registry to issue a copy of this order through email to the Resolution Professional.

8. MA/75/KOB/KOB/2020:

Learned RP Shri PD Vincent appeared through VC and submitted that the stay order obtained by the SEBI from the Hon'ble NCLAT is still in vogue and hence sought an adjournment in the matter. List on **9.8.2021**.

9. Learned RP Shri PD Vincent appeared through VC and submitted that the stay order obtained by the SEBI from the Hon'ble NCLAT is still in vogue and hence sought an adjournment in the matter. List on **9.8.2021**.

10. MA/202/KOB/2020:

Learned PCS for applicant Shri Bijoy P Pulipra and learned RP Shri PD Vincent appeared through VC. Shri PD Vincent submitted that the stay order obtained by the SEBI from the

Hon'ble NCLAT is still in vogue and hence sought an adjournment in the matter. List on **9.8.2021**.

11. MA/174/KOB/2020

Learned counsel for applicant Shri Harikumar G Nair and learned RP Shri PD Vincent appeared through VC. Shri PD Vincent submitted that the stay order obtained by the SEBI from the Hon'ble NCLAT is still in vogue and hence sought an adjournment in the matter. List on **9.8.2021**.

12. Learned counsel for the petitioner Shri Paul Jacob appeared through VC and sought some more time to file the affidavit with proof of service of notice on respondents. List on **26.8.2021**.

13. None appeared for the petitioner. Shri Nelson Joseph, learned counsel appeared for the respondents. **Dismissed for default and non-prosecution vide separate order.**

14. None appeared for the petitioner. Shri Nelson Joseph, learned counsel appeared for the respondents. **Dismissed for default and non-prosecution vide separate order.**

15. None appeared for the petitioner. **Dismissed for default and non-prosecution vide separate order.**

16. Learned counsel for the petitioner Shri Pranoy Harilal appeared for the petitioner and sought permission to withdraw the petition as the petition has become infructuous. The request is allowed and **TCP/61/KOB/2020 stands dismissed as withdrawn vide separate order.**

17. None appeared for the petitioner. **Dismissed for default and non-prosecution vide separate order.**

18. None appeared for the petitioner. **Dismissed for default and non-prosecution vide separate order.**

19. None appeared for the petitioner. **Dismissed for default and non-prosecution vide separate order.**

20. None appeared for the petitioner. Learned counsel Shri Nelson Joseph appeared and stated that he is appearing for Respondents 4,11 & 12 and that they have no brief of the petitioner in this matter now, even though they have filed the case before the Hon'ble High Court of Kerala during 2014. **Registry to issue a notice** to the petitioner to either appear in person

or through a counsel during the next date of posting, failing which the matter will be dismissed for default. **Registry to correct the cause list accordingly. List on 17.8.2021.**