

NCLT, KOCHI BENCH

Daily Orders – Draft

Date: 10th August 2021

**In the Bench of: Shri Ashok Kumar Borah, Member (Judicial) &
Shri Rajesh Sharma, Member (Technical)**

1 CA(IBC)/57/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

2 CA(IBC)/58/KOB/2021 IN IN IBA/258/CB/2019

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Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

3 CA(IBC)/59/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

4 CA(IBC)/60/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

5 CA(IBC)/61/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

6 CA(IBC)/62/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

7 CA(IBC)/63/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

8 CA(IBC)/64/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

9 CA(IBC)/65/KOB/2021 IN IN IBA/258/CB/2019

Learned counsel appearing for the applicant Shri Jayesh S. Pillai as well as learned liquidator Shri Ravindra Chaturvedi appeared through VC along with his counsel Shri Akhil Suresh.

This is an application filed under Section 42 of IBC 2016 seeking certain directions to the Liquidator.

Shri Akhil Suresh submitted that he has already received the copy of the application and hence sought time to file the counter. Time is granted. He may file the counter within 10 days. The applicant may file rejoinder, if any, three days before the next posting date.

List on 01.09.2021 for hearing. There shall be no adjournment in this case.

10 CP(IBC)/23/KOB/2021

Learned counsel for the Operational Creditor Shri Manav Thomas appeared through VC.

This is an application filed by the OC M/s. Raychem RPG Pvt Ltd against the CD M/s. Soura Natural Energy Solutions India Pvt Ltd.

Advocate Shri Shameem Ahmed appeared through VC and stated that he will be appearing for the Corporate Debtor. He has stated that he has not received the copy of the application. He sought time to file the counter and vakalath. He has agreed to share the email ID to the learned counsel for the Operational Creditor.

The Operational Creditor is directed to forward a copy of the CA(IBC) to Shri Shameem Ahamed within 3 days from today. The CD is directed to file the counter on or before 25.08.2021 with copy to the learned counsel for the Operational Creditor. Operational Creditor may file rejoinder, if any, on or before 03.09.2021. Both the parties are directed to complete the pleadings on or before 03.09.2021.

List on 10.09.2021 for hearing. There shall be no adjournment in this matter.

11 IA(IBC)/121/KOB/2021 IN IBA/22&23/KOB/2020

Learned IRP Shri Renahan Vamakesan appeared through VC. This is an application filed by the IRP seeking direction to the Operational Creditors to make the CIRP costs of Rs.1,87,768/-.

The IRP submitted that having admitted the CIRP on 23.03.2021 and instructed the OC to remit an amount of Rs.2.00 lakhs immediately to IRP as part of CIRP expenses, the OC has neither remitted the above amount nor filed any claims before the IRP.

Heard the IRP and perused the records.

IA(IBC)/121/KOB/2021 IN IBA/22&23/KOB/2020 stands disposed of vide separate sheets.

12 REPORT/70/KOB/2021 IN IBA/22&23/KOB/2020

Learned IRP Shri Renahan Vamakesan appeared through VC.

This is a report filed by the IRP in compliance with the direction of this Tribunal as per Order dated 23.06.2021.

Perused the Report. Report is taken on record. Registry shall place it on record.

13 IA/194/KOB/2020 IN IA/55/KOB/2019 IN TCP/20/KOB/2019

Learned counsel for the applicant Shri A.M.Sridharan as well as learned senior counsel for R1 to R3 Shri Joseph Kodianthara and learned counsel for R4 Shri Sankar P. Panicker appeared through VC.

Heard the learned counsel for the applicant and the learned counsel for R4 partly. Considering the hearing of the parties and on the facts and circumstances of this case, following orders are passed:

- (i) The Manager, South Indian Bank, Ernakulam South Branch, Ernakulam is hereby directed to provide the pay-in-slips for all the credit entries in the Current Account No.9705 maintained in the name of M/s. Indo Asian News Channel Private Limited for the Financial years 2010-11 and 2011-12 before this Tribunal within two weeks.

- (ii) The Respondent No.1 is directed to submit the statutory Audit Report along with the Tax Audit Report in full for the Financial Years 2010-11 and 2011-12 within two weeks.
- (iii) The Respondent No.1 is also directed to provide copies of Ledger Accounts of Shri Nikesh Kumar (R2) and LalyJoseph (Petitioner) for the Financial Years 2010-11 and 2011-12 within two weeks.
- (iv) Both the parties are hereby directed to submit their written submissions in brief (within 4-5 pages) latest by 31.08.2021.

Registry is directed to issue copy of this order to South Indian Bank Ltd., Ernakulam South Branch, Ernakulam and the learned counsel for R1 for compliance.

List on 13.09.2021 as part heard (High on Board).

14 MA(CA)/02/KOB/2021 IN TCP/20/KOB/2019

Learned counsel for the applicant Shri A.M.Sridharan as well as learned senior counsel for R1 to R3 Shri Joseph Kodianthara appeared through VC.

Heard the learned counsel for the applicant partly.

List on 13.09.2021 as part heard (High on Board).

15 TCP/20/KOB/2019

Learned counsel for the applicant Shri A.M.Sridharan as well as learned senior counsel for R1 to R3 Shri Joseph Kodianthara appeared through VC.

Heard the learned counsel for the applicant partly.

List on 13.09.2021 as part heard (High on Board).

16 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-R3 and R5 Shri Simod Sivan appeared through VC.

When the matter was taken up for hearing, learned counsel for respondents Shri Simod Sivan sought time to file a reply to the rejoinder filed by the Liquidator, in which certain reliefs are sought. When this was brought to the notice to the learned Liquidator that in the rejoinder, he cannot seek any reliefs, he has stated that he is

not pressing for the reliefs sought in the rejoinder and that the rejoinder only may be considered. This submission is recorded.

Shri Simod Sivan submitted that the suspended directors are co-operating with the liquidator and the required documents/data have already been provided to the Liquidator. However, the liquidator refuted the said statement and stated that R1-R3 are not cooperating and the books of accounts and relevant information as sought by him have not been provided by them.

Heard both sides.

In view of the above submission of both parties, they are directed to sit together and sort out the issues so as to enable the Liquidator to discharge his duties smoothly. The respondents are directed to fulfil all requirements of the Liquidator within a week positively and file a report by the Liquidator before the next date fixed, as to what transpired in their joint meeting. R1 to R3 may note that if the required documents/data are not provided to the liquidator, it will be having negative impact on all the suspended directors of CD.

List on 27.08.2021 for hearing.

17 IA(IBC)/113/KOB/2021 IN IA(IBC)/21/KOB/2021 IN TIBA/3/KOB/2019

Learned counsel for the former RP Shri Vinod PV as well as learned counsel for the Respondent Smt Jinu Sara George appeared through VC.

Due to paucity of time, adjourned to 08.09.2021.

18 REPORT/65/KOB/2021 IN IA/129/KOB/2020 IN TIBA/07/KOB/2019

Learned liquidator Shri Jasin Jose appeared through VC.

Due to paucity of time, adjourned to 17.08.2021.

19 MA/207/KOB/2020 IN IA/129/KOB/2020 IN TIBA/07/KOB/2019

Learned counsel for the applicant Shri Babu Karukapadath as well as learned liquidator/R1 Shri Jasin Jose and learned counsel for R2 Shri Jacob George appeared through VC.

Due to paucity of time, adjourned to 17.08.2021.

20 IA(IBC)/101/KOB/2021 IN MA/207/KOB/2020 IN IA/129/KOB/2020 IN TIBA/07/KOB/2019

Learned counsel for the applicant Shri Babu Karukapadath as well as learned liquidator/R1 Shri Jasin Jose and learned counsel for R2 Shri Jacob George appeared through VC.

Due to paucity of time, adjourned to 17.08.2021.

21 IA(IBC)/87/KOB/2021 IN IBA/23/KOB/2019

Learned RP Shri Vinod P.V. appeared through VC.

Due to paucity of time, adjourned to 10.09.2021.

22 IA(IBC)92/KOB/2021 IN IBA/23/KOB/2019

Both the parties appeared through VC.

Due to paucity of time, adjourned to 10.09.2021.

23 CP(IB)/8/KOB/2021

Both the parties appeared through VC.

Due to paucity of time, adjourned to 27.08.2021.

24 CP/10/KOB/2021

Both the parties appeared through VC.

Due to paucity of time, adjourned to 16.09.2021.

25 CP/12/KOB/2021

Both the parties appeared through VC.

Due to paucity of time, adjourned to 17.09.2021.

26 CP/22/KOB/2021

Both the parties appeared through VC.

Due to paucity of time, adjourned to 17.09.2021.