

***NCLT, KOCHI BENCH*****Daily Orders – Draft**

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

Date: 12<sup>th</sup> Jan 2021

**1 CP/11/KOB/2020**

Learned counsel for the petitioner Shri Philip Mathew appeared through VC. **Orders pronounced. CP/11/KOB/2020 is disposed of vide separate order.**

**2 CA/106/KOB/2020**

Learned counsel for the Appellant Smt Raveena Naz requested some more time to submit the documents directed by this Tribunal. **Pronouncement of orders is therefore further adjourned to 20.01.2021. No further adjournment will be granted for this purpose and if the documents are not produced, law will take its own course.**

**3 CA/122/KOB/2020**

Learned counsel for the Appellant Shri Gokul RI appeared through VC. Orders pronounced. **CA/122/KOOB/2020 is disposed of vide separate order.**

**4 CA/123/KOB/2020**

None has appeared for the appellants. Orders pronounced. **CA/123/KOOB/2020 is disposed of vide separate order.**

**5 CA/129/KOB/2020**

Learned counsel for the Appellant Shri Sudhakshina Prasad appeared through VC. Orders pronounced. **CA/129/KOOB/2020 is disposed of vide separate order.**

**6 CP(CAA)/07/KOB/2020 in connection with CA(CAA)/06/KOB/2020**

Learned counsel for the Appellant Shri Ameerul Millath appeared through VC. Orders pronounced. **CP(CAA)/07/KOB/2020 is disposed of vide separate order.**

**7 IA//80/KOB/2019 IN IBA/46/KOB/2019**

Learned counsel for the Applicant Shri Gokul Ashok as well as learned senior counsel for the Respondent Shri Joseph Kodianthara appeared through VC. Orders pronounced. **IA//80/KOB/2019 IN IBA/46/KOB/2019 is dismissed vide separate order.**

**8 IBA/46/KOB/2019**

Learned senior counsel for the Financial Creditor Shri Joseph Kodianthara as well as learned counsel for the Respondent Shri Gokul Ashok appeared through VC. Since IA/80/KOB/2019 filed by the CD has been dismissed, **list the IBA on 02.02.2021 for final hearing.**

**9 MA/76/KOB/2020 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned applicant/liquidator Shri Mahalingam Sureshkumar appeared through VC along with his learned counsel Shri A.G.Sathyanarayana. Learned counsel for R1 Shri Manoj Ramaswamy and learned counsel for R2 Shri Shinu J. Pillai also appeared through VC. **Heard both sides. Orders reserved. List for pronouncement orders on 01.02.2021.** Before that both the parties may file their argument notes.

**10 MA/190/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**11 MA/191/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**12 MA/192/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**13 MA/193/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**14 MA/194/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**15 MA/195/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**16 MA/196/KOB/2020 IN MA/45/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH**

Learned counsel for the applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared through VC along with his counsel Shri A.G.Sathyanarayana and sought time to file counter to the MA. Perused the MA. The liquidator is directed to file his counter within two weeks. **List on 05.02.2021.**

**17 IBA/25/KOB/2020**

Learned counsel for the Financial Creditor Shri Leo George as well learned counsel for the Corporate Debtor Shri Jithin Saji Issac appeared through VC. Learned counsel for the FC submitted that he has filed the rejoinder on 11.01.2021. But registry reported that they have not received any such rejoinder. FC may file his rejoinder through E-filing in addition to physical filing. **List on 01.02.2021.** Since this is an IBC matter, the parties may bear in mind that this case cannot be prolonged and **hence there shall be no further adjournment in this case.**

**18 IA/195/KOB/2020 IN TCP/6/KOB/2019**

Learned counsel for the Applicant Shri Sangeeth as well as learned counsel for R1 Smt Manjulla Devi appeared through VC. This IA is filed with the prayer to grant permission to the Board of R1 Company to convene a meeting for the purpose of appointment of an auditor and take decisions regarding the filing of Application before this Tribunal for the purpose of restoration of the R1 Company. The learned counsel for R1 submitted that pleadings are complete in the main CP and hence prayed to hear this IA along with the main CP. Heard both sides. **List on 22.02.2021 at 2.30 pm for final hearing.**

**19 TCP/6/KOB/2019**

Learned counsel for the Petitioner Smt Manjulla Devi as well as learned counsel for R2 Shri Sangeeth appeared through VC. It appears from records that this is a very old pending case. Pleadings are complete. Learned counsel for the Petitioner submitted that she has already submitted the synopsis of arguments in 2018 itself at Chennai. **List on 22.02.2021 at 2.30 pm for final hearing. There shall be no further adjournment in this case.**

**20 TCP/7/KOB/19**

Learned counsel for the Petitioner Shri C.K.Karunakaran appeared through VC. He submitted that based on the Order of this Tribunal dated 10.12.2020 in IA/212/KOB/2020 in TCP/7/KOB/2019 the AGMs have already been convened and the decisions/resolutions/business taken in the said AGMs are kept in abeyance until

further orders. Accordingly, the petitioner has filed an IA to amend the main CP. But according to the registry the same has not been numbered. Shri C.K.Karunakaran has requested the Bench to conduct physical hearing since the records relating to this case are voluminous. The Bench informed him that decision on physical hearing can be taken only after getting general instructions from the Principal Bench.

Learned counsel for R1 & R2 Shri Madhu N. Namboothiripad submitted an email stating that he has received the fresh petition for amendment of the main CP only yesterday and he wants to file counter. He also stated in the email that he is not in position to appear through VC today. Learned counsel for R3 & R4 Shri Mohammed Sadique also submitted an email seeking an adjournment for two weeks to enable him to file counter in the amendment application.

R1 to R4 are directed to file their counter to the amendment petition within two weeks positively. **List on 02.03.2021.**

**21 IA/7(KOB)/2020 IN TCP/7/KOB/19**

Learned counsel for the applicants Shri Madhu N. Namboothiripad submitted an email stating that he is not in a position to appear through VC today. Learned counsel for R1 Shri C.K.Karunakaran appeared through VC. Learned counsel for R2 & R3 Shri Mohammed Sadique has also submitted an email seeking an adjournment. This is an IA filed by the Respondents 1 and 2 of the main TCP/7/KOB/2019 regarding the maintainability of the Company Petition. **Adjourned to 02.03.2021.**

**22 IA/148/KOB/2020 IN IA/36/KOB/2020 IN TCP/14/KOB/2020**

Learned counsel for the applicant Shri Mohan Pulickkal sought an adjournment stating that due to internet failure in his office he is disabled to have access to the VC. Learned counsel for the R1 Shri Sharad Kodianthara submitted an email stating willingness to appear through VC. **Adjourned to 11.02.2021.**

**23 TCP/14/KOB/2020 (TCP/67/2016(CB))**

Learned counsel for the Petitioners Shri Mohan Pulickkal sought an adjournment stating that due to internet failure in his office he is disabled to have access to the VC. Learned counsel for the R1 Shri Sharad Kodianthara submitted an email stating willingness to appear through VC. **Adjourned to 11.02.2021.**

24 CA/121/KOB/2020

Learned counsel for the appellant Shri Nikhil George Pinto appeared through VC. Report of RoC is on record. Reserved for orders. **List for pronouncement of orders on 18.01.2021.**

25 TCAA/4&5/KOB/19

Learned counsel for the Applicant Shri Pranoy Harilal appeared through VC. He submitted that he has filed the reply against the report filed by the ROC. Heard and perused the records. **Orders reserved. List for pronouncement of orders on 05.02.2021.**