

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

Date: 14th July 2021

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

1 IA(IBC)/105/KOB/2021 IN IBA/25/KOB/2020

Learned IRP Shri Sathiq Buhari appeared through VC. Learned Senior Counsel Shri Joseph Kodianthara appeared through VC for the Promotor/CD.

This is an application filed by the RP on behalf of CoC for appointment of the IRP as RP under Section 22(3)(a) of IBC, 2016.

The IRP submitted that he was appointed as IRP on 08.03.2021 vide order in IBA/25/KOB/2020 and the CoC meeting held on 12.04.2021 resolved to appoint him as RP. He has also submitted he has filed the liquidation application before this Tribunal on 16.06.2021, but the same has not been numbered and listed.

Shri Joseph Kodianthara raised objections against this IA stating that IRP cannot file liquidation application. Heard both sides and perused the records.

All CoC members in this case are directed to appear in person through VC at the time of next date of hearing.

Registry is directed to list this IA along with the Liquidation application. Registry is also directed to issue copy of this order to the IRP through email directing him to serve copy of this order to all CoC members for their appearance on 27.7.2021.

List on 27.07.2021 for hearing.

2 IA(IBC)/106/KOB/2021 IN IBA/52/KOB/2019

Learned RP Shri George Varkey appeared through VC along with his learned counsel Shri Vinod PV.

This is an application filed by the RP under Section 33(1) of IBC, 2016 for liquidation of CD.

RP is directed to submit the balance sheets, assets and liabilities and Income and Expenditure account of the CD for the Financial Years 2014-15, 2015-16, 2016-17,

2017-18 and 2018-19 with a comparative chart within a week. RP is also directed to ensure all data pertaining to the CD are available with him and submit a Memo in this regard before the next date of hearing. **List on 30.07.2021 for hearing.**

3 REPORT/54/KOB/2021 IN IA(IBC)/13/KOB/2021 IN TIBA/11/KOB/2019

The Monitoring Agent (Erstwhile Resolution Professional) in this matter Shri Bijoy Prabhakaran Pulipra appeared through VC.

This is a status Report filed by the Monitoring Agent on the actions taken by him for effectively conducting the Corporate Insolvency Resolution Process.

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

4 CP(IB)/07/KOB/2021

Learned counsel for the Petitioner Shri Raji Rajendran appeared through VC. Adv Shri Pranoy Harilal appeared for the CD and submitted that he will file the vakkalath and counter within a short time.

Respondent is directed to file counter within two weeks serving copy to the petitioners, who may file rejoinder, if any two days before the next date of hearing.

List on 03.08.2021.

5 IA(IBC)/108/KOB/2021 IN CP(IB)/9/KOB/2021

Learned counsel for the Applicant Shri Prasanth Kumar appeared through VC. Adv Shri Vinod PV appeared through VC for the CD and submitted that he will file the vakkalath and counter in this case.

The applicant is directed to serve the copy of this IA to the learned counsel of the CD.

CD is directed to file the counter within four weeks serving copy to the applicants, who may file rejoinder, if any, within 7 days of receipt of the counter.

List on 26.08.2021.

6 CP(IB)/9/KOB/2021

Learned counsel for the Applicant Shri Prasanth Kumar appeared through VC. Adv Shri Vinod PV appeared through VC for the CD and stated that he will file the vakkalath and counter in this case.

CD is directed to file the counter within four weeks serving copy to the applicants, who may file rejoinder, if any, within 7 days of receipt of the counter.

List on 26.08.2021.

7 TCP/40/KOB/2019

Learned counsel for the Petitioner Shri M.A.Shaji, learned ROC (R1) and learned counsel for R3 Shri Sankar Panicker appeared through VC.

ROC submitted that since this is an old pending matter, the copy of the petition is not readily available with him. The Petitioner is directed to serve copy of this petition (bound volume filed before this Tribunal) within 3 days to ROC, who may file counter/report within two weeks thereafter.

List on 04.08.2021.

8 CP/25/KOB/2020

Learned counsel for the Petitioner Shri P.P.Zibi Jose as well as learned counsel for R2, R4 & R5 Shri Sukumar Nainan Oommen appeared through VC. None appeared for R6.

Since 241-242 cases related to this case are posted on 28.07.2021, this CP will be heard after hearing those cases.

List on 12.08.2021 for hearing.

9 CP/26/KOB/2020

Learned counsel for the Petitioner Shri P.P.Zibi Jose as well as learned counsel for R2, R4 & R5 Shri Sukumar Nainan Oommen appeared through VC. None appeared for R6.

Since 241-242 cases related to this case are posted on 28.07.2021, this CP will be heard after hearing those cases.

List on 12.08.2021 for hearing.

10 CP/27/KOB/2020

Learned counsel for the Petitioner Shri P.P.Zibi Jose as well as learned counsel for R2, R4 & R5 Shri Sukumar Nainan Oommen appeared through VC. None appeared for R6.

Since 241-242 cases related to this case are posted on 28.07.2021, this CP will be heard after hearing those cases.

List on 12.08.2021 for hearing.

11 CA/64/KOB/2020

Registry informed that learned counsel for the applicant Shri P. Sanjay relinquished the vakkalath and stated no objection in any other counsel conducting the case on behalf of the applicant. Today none appeared for the applicant.

Learned counsel for R2, R3, R5 Shri Sukumar Nainan Oommen and learned counsel for R4 Shri Zibi Jose appeared through VC. None appeared for R1 and R6.

Since 241-242 cases related to this case are posted on 28.07.2021, this CP will be heard after hearing those cases.

List on 12.08.2021 for hearing.

Registry to inform the applicant through mail regarding the relinquishment of vakalath by the present counsel.

12 CA/84/KOB/2020

Learned counsel for the Applicant Shri P.P.Zibi Jose as well as learned counsel for R2, R3, R6 & R7 Shri Sukumar Nainan Oommen appeared through VC. None appeared for R1 and R6.

Registry informed that learned counsel for R4 Shri P. Sanjay relinquished the vakkalath and stated no objection in any other counsel conducting the case on behalf of R4.

List on 12.08.2021 for hearing.

13 IA(IBC)/88/KOB/2021 IN IBA/46/KOB/2019

Learned counsel for the applicant/CD Shri Santhosh Mathew as well as learned senior counsel for the Respondent/FC Shri Joseph Kodianthara appeared through VC.

The matter will be heard along with the main IBA/46/KOB/2019.

14 IBA/46/KOB/2019

Learned senior counsel for the FC Shri Joseph Kodianthara as well as learned counsel for the CD Shri Santhosh Mathew appeared through VC.

Arguments **heard in part. List for further hearing on 26.07.2021 as part heard, as High Up in the Board.**

15 CP/34/KOB/2020

Both the parties appeared through VC. However, due to paucity of time, this matter could not be reached. **Adjourned to 05.08.2021.**

16 CP/55/KOB/2020

Both the parties appeared through VC.

However, due to paucity of time, this matter could not be reached. **Adjourned to 09.08.2021.**

17 CA(C/ACT)/70/KOB/2021 IN CP/08/KOB/2021

Both the parties appeared through VC.

However, due to paucity of time, this matter could not be reached. **Adjourned to 09.08.2021.**

18 CP/08/KOB/2021

Both the parties appeared through VC.

However, due to paucity of time, this matter could not be reached. **Adjourned to 09.08.2021.**

19 CP/10/KOB/2021

Both the parties appeared through VC.

However, due to paucity of time, this matter could not be reached. **Adjourned to 10.08.2021.**

20 CP/22/KOB/2021

Both the parties appeared through VC.

However, due to paucity of time, this matter could not be reached. **Adjourned to 10.08.2021.**