

NCLT, KOCHI BENCH

Daily Orders – Draft

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

Date: 18th March 2021

1 IBA/38/KOB/2020

Learned counsel for the Operational Creditor Ms Sreedevi as well as learned counsel for the Corporate Debtor Shri Nebil Nizar appeared through VC. Orders pronounced. **IBA/38/KOB/2020 is dismissed vide separate order.**

2 IA/195/KOB/2020 IN TCP/6/KOB/2019

Learned counsel for the Applicant Ms Telma Raju as well as learned counsel for R1 Ms Manjula Devi appeared through VC. Orders pronounced. **IA/195/KOB/2020 IN TCP/6/KOB/2019 stands disposed of vide separate order.**

3 MA/199/KOB/2020 IN IBA/17/KOB/2020

Learned RP Shri K.T.Mathew appeared through VC. Orders pronounced. **MA/199/KOB/2020 IN IBA/17/KOB/2020 is allowed vide separate order.**

4 IA(IBC)/65/KOB/2021 IN MA/199/KOB/2020 IN IBA/17/KOB/2020

Learned RP Shri K.T.Mathew appeared through VC. **IA(IBC)/65/KOB/2021 IN MA/199/KOB/2020 IN IBA/17/KOB/2020 is allowed.** The documents produced are taken on record.

5. IA(IBC)/64/KOB/2021 IN IBA/52/KOB/2019

Learned counsel for the Applicant Shri Shivshankar R. Panicker appeared through VC along with Advocate Ms Jagrithi Sanghi. Learned RP Shri George Varkey also appeared through VC. This is an IA filed by the applicant seeking direction to the RP to accept the EoI of the Applicant as a Prospective Resolution Applicant under Section 240A of IBC since the Corporate Debtor is a deemed MSME.

The RP sought two weeks' time to file the counter. He may do so positively within two weeks serving copy on the applicant. The applicant may file the rejoinder, if any, before the next date fixed. **List on 07.04.2021.**

Registry is directed to issue copy of this order to the counsel for applicant and RP through Email.

6 REPORT/18/KOB/2021 IN TCP/59/KOB/2019

Learned counsel for the Liquidator Shri Jasin Jose appeared through VC. This is the 5th progress report filed by the Liquidator for the period 01.10.2020 to 31.12.2020 in the matter of Seabird Sea Plane Private Limited under Regulation 15 of the I&B BOI(Liquidation Process) Regulation 2016.

I have perused the Report. **The report is taken on record.** Registry is directed to place the report in the appropriate file.

7 REPORT/19/KOB/2021 IN TIBA/31/KOB/2019 & TIBA/10/KOB/2019

No appearance for RP. This is the Progress Report of the RP in the matter of CIR Process of Kerala Housing Finance Limited.

I have perused the report of the RP. **The Report is taken on record.** Registry is directed to place the report in the appropriate file.

8 REPORT/20/KOB/2021 IN IBA/39/KOB/2020

No appearance for the IRP. This is a report filed by the IRP in the matter of CIR Process against Tierra Food India Pvt Limited. The IRP in his report has given the list of Creditors under Regulation 13/2/d and Constitution of CoC under Regulation 17(1) of IBBI IR Process. **The report of the IRP is taken on records.** Registry is directed to place the report in the appropriate file.

9 TCP/6/KOB/2019

Learned counsel for the petitioner Ms Manjula Devi as well as learned counsel for the R2 Ms Telma Raju appeared through VC. The Written Argument Brief submitted by the petitioner is on record. Respondents are directed to submit their Written Argument Brief (limiting 5/6 pages) within two weeks.

List on 26.04.2021 at 2.30 pm for final hearing.

10 CP/54/KOB/2020

Learned counsel for the petitioner Shri John Vadassery as well as learned PCS for R2 Shri Yongindunath appeared through VC. Shri Yongindunath sought two weeks'

time to file the counter. He may do so positively within two weeks. The Petitioner may file his rejoinder, if any, before the next date fixed.

Though notice was duly served on R1, none has appeared on its behalf. **Therefore, R1 is hereby set ex parte.**

List on 21.04.2021. Registry is directed to issue copy of this order to both the parties through email.

11 CP/55/KOB/2020

Learned counsel for the Petitioner Shri Vinu Thomas as well as learned counsel for R1 to R4 Shri John Vadassery appeared through VC. Shri John Vadassery sought 3 weeks' time to file the counter. He is directed to file the counter positively within three weeks. The Petitioner may file his rejoinder, if any, before the next date fixed. **List on 29.04.2021 for hearing.**

12 IA/203/KOB/2020 IN CP/02/KOB/2020

Learned counsel for the applicants Dr.K.S.Ravi Chandran as well as learned senior counsel for the Respondents Shri Aravind Pandian appeared through VC. **Adjourned to 21.04.2021 at 2.30 pm for hearing.**

13 CP/02(KOB)/2020

Learned senior counsel for the Petitioners Shri Aravind Pandian as well as learned counsel for the respondents Dr K.S.Ravi Chandran appeared through VC. Dr. Ravi Chandran stated that the appeal pending before NCLAT is coming up for hearing on 12.04.2021. Hence, he sought an adjournment after that date. Shri Aravind Pandian stated that since there is no stay order against the proceedings of this Tribunal, this CP can be heard.

In the meantime, Shri Joseph Kodianthara, Senior Advocate appeared and stated that he will be filing an impleading application in this case.

Adjourned to 21.04.2021 at 2.30 pm for final hearing.