

## ***NCLT, KOCHI BENCH***

### **Daily Orders – Draft**

**Date: 21<sup>st</sup> June 2021**

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

**1 TCP/68/KOB/2019 (TCP/49/2016)**

None appeared for the Petitioner. Learned counsel for R1 to R3 Shri George G. Poothicote as well as learned counsel for R5 Shri Jayan K. appeared through VC. Orders pronounced. **TCP/68/KOB/2019 (TCP/49/2016) is dismissed vide separate order.**

**In the Bench of: Shri Ashok Kumar Borah, Member (Judicial) & Shri Satya Ranjan Prasad, Member (Technical)**

**2 IA(IBC)/80/KOB/2021 IN MA/05/KOB/2020 IN TIBA/1/KOB/2019**

Learned applicant/Liquidator Shri Shawn Jeff Christopher appeared through VC. Adv Vinod PV and Adv Anzil Zalim appeared through VC for R2 and R1 respectively. R2 has already filed the counter. Adv Anzil Zalim sought one weeks' time to file the counter and vakalath. He is directed to file the counter within one week positively, failing which law will take its own course. The liquidator submitted that R1 is dragging the matter unnecessarily.

Registry is directed to issue copy of this order to the learned counsel of the parties through email.

**List on 28.06.2021 at 2.30 pm.**

**3 IA(IBC)/79/KOB/2021 IN TIBA/07/KOB/2019**

Learned Liquidator/Applicant Shri Jasin Jose as well as learned counsel for R1 Shri Babu Karukapadath appeared through VC. None appeared for R2.

Shri Babu Karukapadath sought an adjournment to file the counter stating that his client who is aged 79 years is unwell for some time and that he can file the counter within a week. He may file the counter positively within a week, failing which law will take its own course. The liquidator may file the rejoinder, if any, before the next date fixed. **Since this is an IBC matter, this case cannot be prolonged and hence there shall be no further adjournment in this case.**

**List on 02.07.2021.**

#### **4 MA(IBC)/4/KOB/2021 IN TIBA/25/KOB/2019**

Learned counsel for the Applicant Shri K.S.Ravichandran appeared through VC. Learned counsel for R1/Operational Creditor Shri Vijay V. Paul as well as learned counsel for RP/R2 Shri Vinod PV appeared through VC.

This is an MA filed by the suspended director of the CD seeking 4 reliefs including to release him from the process of Corporate Insolvency by revoking the Order of this Tribunal dated 7.11.2019 in TIBA/25/KOB/2019 by invoking the inherent powers of this Tribunal and thereby preventing further abuse of process of this Tribunal and impose heavy costs on R1 with an amount, at least equal to the value of the CIRP costs.

Learned counsel for R1 submitted that he has not yet received the copy of the MA. But, Shri Ravichandran submitted that he has already forwarded the copy of application to the respondents, however, he shall forward another copy to R1, if they so desire. The applicant is directed to serve copy of this MA to R1 through email and Speed Post within 3 days. The learned counsel of R1 may provide his email ID to the learned counsel of the applicant immediately.

R1 and R2 are directed to file their counter within a week serving copy to the applicant, who may file rejoinder, if any, before the next date fixed.

**Since this is an IBC matter, this case cannot be prolonged and hence there shall be no further adjournment in this case.**

Registry is directed to issue copy of this order to the learned counsel of the parties through email.

List on 9.7.2021 for hearing.

#### **5 IA/33/KOB/2021 IN TIBA/25/KOB/2019**

Learned counsel for the applicant Shri Vijay V. Paul as well as learned counsel for R1/RP Shri Vinod PV and learned counsel for R2 & R3 Shri K.S.Ravichandran appeared through VC. None appeared for R4. Pleadings are complete.

**Adjourned to 09.07.2021 for hearing.**

**6 IA(IBC)/78/KOB/2021 IN TIBA/25/KOB/2019**

Learned counsel for RP/Applicant Shri Vinod PV as well as learned counsel for the respondents Shri K.S.Ravichandran appeared through VC. Both the parties requested that the matter may be heard along with other IAs.

**Adjourned to 09.07.2021 for hearing.**

**7 IA(IBC)/27/KOB/2021 IN IBA/133/KOB/2019/CB**

Learned counsel for the applicant/Liquidator Shri Vinod PV as well as learned counsel for R1 to R3 Shri Krishnakumar G appeared through VC.

Shri Vinod PV sought a weeks' time to file the hard copy of the rejoinder. He may do so positively within one week.

Shri Krishnakumar G submitted that he wants to file a sur-rejoinder in this IA. He may file the sur-rejoinder positively before the next date fixed and that no further time will be granted for this purpose.

**Since this is an IBC matter, this case cannot be prolonged and hence there shall be no further adjournment in this case.**

Registry is directed to issue copy of this order to the counsel of both the parties through email.

**List on 30.6.2021 for hearing.**