

NCLT, KOCHI BENCH

Daily Orders – Draft

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

Date: 25th Jan 2021

1 CA/124/KOB/2020

Learned counsel for the Appellant Ms Sreepriya Kalarikkal appeared through VC. Orders pronounced. **CA/124/KOB/2020 is disposed of vide separate order.**

2 CA(CAA)/19/KOB/2019

Learned PCS for the applicant Shri Yogindunath S appeared through VC. Orders pronounced. **CA(CAA)/19/KOB/2019 is disposed of vide separate order**

3 CA(CAA)/20/KOB/2019

Learned PCS for the applicant Shri Yogindunath S appeared through VC. Orders pronounced. **CA(CAA)/20/KOB/2019 is disposed of vide separate order**

4 CP/02/KOB/2021

None has appeared for the petitioner. Learned PCS for R5 submitted an email stating willingness to appear through VC. **List on 18.02.2021 for hearing.** Both the parties may bear in mind that there shall be no adjournment in this case. Registry is directed to issue copy of this order to both the parties through mail.

5 IA/23(KOB)/2020 IN TCP/49/KOB/19

Learned counsel for the Applicant ShriJolly John appeared through VC. Shri Cyriac Thomas, Advocate submitted an email stating that he is the advocate for Petitioner 1 and 3 in the TCP/49/KOB/19 and entrusted the matter to his junior advocate Ms Maria to present in person before this Tribunal today. But records show that vakkalath has not been filed for the respondents. **List on 16.03.2021** before that date respondents may file their Vakkalath and take steps to defend their case.

6 TIA/130/KOB/2020 (CA/13/2009(CLB)) IN TCP/49/KOB/19

Shri Cyriac Thomas, Advocate submitted an email stating that he is the advocate for Petitioner 1 and 3 in the TCP/49/KOB/19 and entrusted the matter to his junior advocate Ms Maria to present in person before this Tribunal today. But records show that vakkalath has not been filed for the Applicants/Petitioners. Learned counsel for R4 Shri Jolly John appeared through VC List on **16.03.2021** before that date petitioners may file their Vakkalath and take steps to prosecute their case.

7 TCP/49/KOB/2019

Shri Cyriac Thomas, Advocate submitted an email stating that he is the advocate for Petitioner 1 and 3 in the TCP/49/KOB/19 and entrusted the matter to his junior advocate Ms Maria to present in person before this Tribunal today. But records show that vakkalath has not been filed for the Petitioners. Learned counsel for R2 & R3 Shri Jolly John appeared through VC **List on 16.03.2021** before that date petitioners may file their Vakkalath and take steps to prosecute their case.

8 TCP/58/KOB/19 (TCP/235/17)

None has appeared for both the parties. It is noted that the order passed by this Tribunal in TCP/57/KOB/2019 has been challenged before NCLAT and the same is pending. Hence, this TCP will be heard after knowing the proceedings of NCLAT in the appeal filed in TCP/57. **Adjourned to 15.03.2021.**

9 CP/33/KOB/2020

Learned counsel for the Petitioner Shri Arun K Kamalobhavan appeared through VC. None has appeared for the respondents. Shri Kamalobhavan submitted that he has filed an amended petition, but that has not been listed. The petitioner is directed to serve the copy of amended petition to the respondents and submit proof of service with an affidavit within two weeks. The respondents may file their counter before the next date fixed. Registry is directed to issue notice to the Respondents through email. **List on 26.02.2021.**

10 CA(CAA)/07/KOB/2020

Learned counsel for the Applicants Shri Jerin Asher Sojan appeared through VC. He submitted that he has filed the required documents today in response to the order of this Tribunal dated 05.01.2021. **List on 04.02.2021 for hearing.**

11 CA/10/KOB/2021 IN CP/21/KOB/2020

Learned counsel for the Applicants Shri V.Ajakumar appeared through VC. Learned counsel for R1 to R8 Shri Bijoy Pulipra, learned counsel for R10 Shri Saji Varghese, learned counsel for R11, R18 and R19 Shri Vinod V. Luka appeared through VC. The issue of maintainability will also be heard along with the main CP. **List on 01.03.2021 at 2.30 pm for final hearing.**

12 IA/199/KOB/2020 IN CONTEMPT PETITION/09/KOB/2020 IN CP/21/KOB/2020

Learned counsel for the Applicant Shri Bijoy P. Pulipra appeared through VC. Learned counsel for R1 to R5, R7 and R9 Shri V.Ajakumar, learned counsel for R8 Shri Saji Varghese and learned counsel for R6 Ms Sabeela CB appeared through VC. This IA is filed by the applicant for modification of the Interim prayer of the Contempt Petition. Heard both sides and perused the records. **Since there is no provision in the NCLT Rules to modify the Contempt Petition, this IA/199/KOB/2020 IN CONTEMPT PETITION/09/KOB/2020 IN CP/21/KOB/2020 is dismissed as not in order.** The Applicant will be at liberty to file fresh Contempt Petition in this regard, if he so desires.

13 CONTEMPT PETITION/09/KOB/2020 IN CP/21/KOB/2020

Learned counsel for the Contempt Petitioner Shri Bijoy P. Pulipra appeared through VC. Learned counsel for R1 to R5, R7 and R9 Shri V.Ajakumar, learned counsel for R8 Shri Saji Varghese and learned counsel for R6 Ms Sabeela CB appeared through VC. Since IA filed in this Contempt Petition has been dismissed, this **CONTEMPT PETITION/09/KOB/2020 IN CP/21/KOB/2020 has become infructuous and hence dismissed.**

14 IA/198/KOB/2020 IN CP/21/KOB/2020

Learned counsel for the Applicant Shri Bijoy P. Pulipra appeared through VC. Learned counsel for R1 Ms Sabeela CB, learned counsel for R2 to R7, R9 and R10 Shri V.Ajakumar, learned counsel for R8 and R16 Shri Saji Varghese, learned counsel for R11 and R18 Shri Vinod V. Luka and learned counsel for R12 & R13 Shri Mohammed Fazil MP appeared through VC. Heard and perused the records. Orders reserved. **List for pronouncement of orders on 25.02.2021.**

15 IA/226/KOB/2020 IN CP/21/KOB/2020

Learned counsel for the applicant Ms Sabeela CB appeared through VC. Learned counsel for R1 Shri Bijoy P. Pulipra, learned counsel for R2 to R7, R9 and R10 Shri V.Ajakumar, learned counsel for R8 and R16 Shri Saji Varghese, learned counsel for R11, R18 and R20 Shri Vinod V Luka and learned counsel for R12 & R13 Shri Mohammed Fazil MP appeared through VC. The matter will be heard along with the main CP. **List on 01.03.2021 at 2.30 pm for final hearing.**

16 CP/21/KOB/2020

Learned counsel for the Petitioners Shri Bijoy P. Pulipra appeared through VC. Learned counsel for R1 Ms Sabeela CB, learned counsel for R2 to R7, R9 and R10 Shri V.Ajakumar, learned counsel for R8 and R16 Shri Saji Varghese, learned counsel for R11 and R18 Shri Vinod V Luka and learned counsel for R12 & R13 Shri Mohammed Fazil MP appeared through VC. Counter has already been filed by Respondent Nos 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 18 and 22. As a last chance Respondents Nos 8, 14, 15, 16, 19 and 20 are directed to file their counter within two weeks, failing which law will take its own course. **It is noted that R17 has not made any representation till date.** The petitioners may file their rejoinder, if any, before the next date fixed. **List on 01.03.2021 at 2.30 pm for final hearing.**

17 CA/7/KOB/2021 IN CP/08/KOB/2020

Adjourned to 18.02.2021 at 2.30 pm

18 IA/152/KOB/2020 IN CP/08/KOB/2020

Adjourned to 18.02.2021 at 2.30 pm

19 IA/153/KOB/2020 IN CP/08/KOB/2020

Adjourned to 18.02.2021 at 2.30 pm

20 CP/08/KOB/2020

Adjourned to 18.02.2021 at 2.30 pm