

NCLT, KOCHI BENCH

Daily Orders – Draft

Date: 25th June 2021

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

1 IBA/48/KOB/2019

Learned counsel for the Operational Creditor Shri Akhil Suresh as well as learned counsel for the Corporate Debtor Shri Terry V. James appeared through VC. Orders pronounced. **IBA/48/KOB/2019 is dismissed as withdrawn** vide separate order.

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

2 IA(IBC)/91/KOB/2021 IN IBA22/KOB/2020 & IBA/23/KOB/2020

Learned IRP Shri Renahan Vamakesan appeared through VC.

This IA has been filed by the IRP in compliance with Regulation 13 of IBC 2016 attaching the report of list of Creditors and report certifying the constitution of Committee of Creditors. Perused the Report. Report is taken on record **and IA(IBC)/91/KOB/2021 IN IBA22/KOB/2020 & IBA/23/KOB/2020 stands disposed of.** Registry shall place it on record.

3 IA/63/KOB/2020 IN IBA/240/2019/CB

Learned counsel for the Interveners Shri S.Easwaran appeared through VC. Learned counsel appearing for the Liquidator Ms Akhila Bholla also present through VC. None appeared on behalf of the Financial Creditor. Ms Akhila Bolla sought an adjournment to enable her senior to argue the matter. Adjourned at her request to **07.07.2021** for hearing.

Since this is an IBC matter, **there shall not be any further adjournment in this case.**

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

4 IA(IBC)/87/KOB/2021 IN IBA/23/KOB/2019

Learned RP Shri Vinod PV as well as learned counsel for OC Shri Santhosh Mathew appeared through VC. This is an application filed by the RP for liquidation of the CD.

Shri Santhosh Mathew requested that this IA may be heard along with the IA(IBC)/92/KOB/2021 filed by the OC in this matter. He has stated that he has not received a copy of this IA.

Shri Vinod has raised no objection in hearing the matter together as requested by Shri Santhosh Mathew.

The OC may obtain the copy of this IA from the registry by complying the prescribed norms and file reply, if any, within a week positively.

Since this is an IBC matter, **there shall not be any further adjournment in this case.**

List on **12.07.2021** for final hearing.

5 IA(IBC)92/KOB/2021 IN IBA/23/KOB/2019

Learned counsel for the Applicant/OC Shri Santhosh Mathew as well as learned RP Shri Vinod PV appeared through VC.

This IA has been filed by the OC seeking the following reliefs:

- (a) Direct the Resolution Professional to grant the Applicants access to all the documents submitted by the Financial Creditors pertaining to claim made before the Resolution Professional;
- (b) Direct the conduct of a forensic audit by an independent third-party auditor into the amounts that have been lent by Respondents 4 to 13 to the Corporate Debtor and the amounts recovered.
- (c) Stay further proceedings in the Corporate Insolvency Resolution Process of the Corporate Debtor till such time the forensic audit is complete.
- (d) Restrain the 3d Respondent Resolution Professional from acting as the Resolution Professional or the liquidator.
- (e) Pass such further orders in the interests of justice and equity.

The RP submitted that the period of CIR Process has already been expired on 09.04.2021. He further submitted that CoC in its 18th meeting held on 27.04.2021 has recommended to liquidate the CD.

Anyhow, the RP is directed to file reply to this IA within a week positively.

List on 12.07.2021 for final hearing.

6 CA/61/KOB/2021 IN CP/12/KOB/2020

Learned counsel for the Applicants M/s. Jagan Abraham M. George appeared through VC. Learned counsel for R1 to R4 Shri Sharad Joseph Kodianthara and learned counsel for R5 Shri Terry V. James also appeared through VC.

Heard both sides. **Reserved for orders. List for pronouncement of orders on 02.07.2021.**

7 CP/12/KOB/2020

Learned counsel for the Petitioners M/s. Jagan Abraham M.,. George appeared through VC. Learned counsel for R1 to R4 Shri Sharad Joseph Kodianthara and learned counsel for R5 Shri Terry V. James also appeared through VC.

Pleadings are Complete.

List on 20.07.2021 at 2.30 pm for final hearing.

8 CA/11/KOB/2021

Learned counsel for the Appellant Shri Cyriac Tom appeared through VC. The report of ROC in this matter is on record.

Heard and perused the records.

Reserved for orders, subject to submission of the documents related to the business and EPF/ESI registrations details of the Appellant Company within 10 days. **List for pronouncement of orders on 07.07.2021.**

9 CA/12/KOB/2021

Learned counsel for the Appellant Shri Abid Millath appeared through VC. The report of ROC in this matter is on record.

Heard and perused the records.

Reserved for orders, subject to filing of the Bank transactions of the Appellant Company within 10 days. **List for pronouncement of orders on 05.07.2021.**