

NCLT, KOCHI BENCH

Daily Orders – Draft

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

Date: 31st May 2021

1 IA(IBC)/84 /KOB/2021 IN IBA/52/KOB/2019

Learned counsel for the applicant Smt. Jagrithi Sanghi as well as learned counsel for the RP Shri Vinod PV appeared through VC. Shri Vinod submitted that the CIRP period has already been expired on 23.05.2021. Heard both sides. **IA(IBC)/84 /KOB/2021 IN IBA/52/KOB/2019 is disposed of vide separate sheets.**

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

Learned liquidator Shri Shawn Jeff Christopher appeared through VC. This is an IA filed by the Liquidator for impleading the Banks of the Corporate Debtor and seeking co-operation from the Banks over the amounts credited in the Banks account of the CD. Advocate Shri Vinod PV appeared through VC for State Bank of India. He submitted that he would file the Vakalat and counter for SBI shortly. He may do so within two weeks.

Heard the liquidator as well as the learned counsel for State Bank of India. I have also perused the whole case records. The prayer for impleading the following Banks in this case is allowed.

R1 : The Manager,
ICICI Bank,
Sasthamangalam Branch, Trivandrum, Kerala 695010

R2 : The Manager
SBI Bank,
Panavila Branch, Ground Floor,
Kousthuram, Commercial Complex, Panavila,
Trivandrum 695014.

Registry is directed to make impleadment in the cause title.

The liquidator is directed to issue fresh notice with the booklet to the R1 Bank through email and Registered Post with A/D or Speed Post and submit proof of service (A/d card or Postal Track Report) with an affidavit before the next date fixed.

Registry is also directed to issue notice to R1 through email. Both the banks are directed to file their counter within two weeks. **List IA(IBC)/80/KOB/2021 IN MA/05/KOB/2020 IN TIBA/1/KOB/2019 on 21.06.2021.**

3 IA(IBC)/75/KOB/2021 IN TIBA/19/KOB/2019

Learned Applicant/RP Shri Jasin Jose appeared through VC. Vide order dated 29.04.2021 the RP was directed to clarify on the following points:

- (1) The period availed for the CIR Process as on 11.03.2021;
- (2) Whether the RP has been authorised by CoC to file any application under 60(5) of IBC 2016.

The RP submitted that he has filed a memo on 06.05.2021 through online. But registry reported that no such memo has been received. RP submitted during the hearing that CoC has not authorised him to file any application under Section 60(5) of IBC 2016. The RP also submitted that he shall file a memo and clarify the above points within a day or two. The submission of the RP is recorded. Subject to receipt of the Memo within two days from the RP, **IA(IBC)/75/KOB/2021 IN TIBA/19/KOB/2019 is Reserved for Orders. List for pronouncement of orders on 04.06.2021.**

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

Learned counsel for the RP Shri Vinod PV as well as learned counsel for the respondents Smt. Manjula Devi appeared through VC. Smt. Manjula submitted that she had filed the counter two weeks back through e-filing. She is directed to file the physical copy of the counter within a week. The RP is directed to file the rejoinder, if any, before the next date fixed. List on 21.06.2021.

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

Learned counsel for the petitioner Shri Gokul sought an adjournment through Email stating that he is not able to access the case files owing to the Covid-19 restrictions.

Adjourned to 21.06.2021.

6 IA/15/KOB/2020 IN TCP/01(KOB)/2020 (CP/20/1985/HC)

No response from both sides. Adjourned to 22.06.2021.

7 TCP/46/KOB/2019

Learned counsel for the Petitioner Shri Pradeep Joy sought an adjournment through email stating that it is difficult to access the case files owing to the Covid-19 restrictions. Adjourned to 22.06.2021.

8 TCP/01(KOB)/2020 (CP/20/1985/HC)

Learned counsel for R3 Smt. Sindhu Lekshmi expressed willingness to appear through VC. But no response from the Petitioners. Hence adjourned to 22.06.2021.

9 CP/115/KOB/2019

None appeared for the petitioner or respondents. This matter is listed today for the report of the Liquidator appointed by this Tribunal. However, no response from the Liquidator also, even though the Registry communicated the order to him. The liquidator is granted another opportunity to file the report within two weeks. Registry to communicate this order to the Liquidator immediately through mail. **List on 23.06.2021 for report of Liquidator.**

10 CA/33/KOB/2021 IN CP/08/KOB/2020

Both sides sought an adjournment through email. Adjourned to 07.07.2021.

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

Both sides sought an adjournment through email. Adjourned to 07.07.2021.

12 CP/08/KOB/2020

Both sides sought an adjournment through email. Adjourned to 07.07.2021.

13 CP/30/KOB/2020

Learned counsel for the Petitioner Shri Anil D. Nair appeared through VC. He submitted that pleadings are complete and hence ready to argue the matter. Learned counsel for respondents sought an adjournment as she could not access the files in the office due to covid 19. But it appears from records that the counter filed by the Respondent is defective since the annexures attached along with the counter are not certified as true copies as required under Rule 23(2) of NCLT Rules, 2016. The Respondent is directed to cure the defect within one week positively, failing which law shall take its own course. **List on 18.06.2021 for hearing.**

14 CP/53/KOB/2020

Learned counsel for the Petitioner expressed willingness to appear through VC. No response from R1 to R3.

Adjourned to 24.06.2021.

15 CP/11/KOB/2021

Learned counsel for the petitioner Shri Praful Surendran sought an adjournment through Email stating that he needs time to file the rejoinder. He may file the rejoinder within two weeks.

Adjourned to 24.06.2021.

16 CP/19/KOB/2021

Learned counsel for the Petitioner Shri Philip Mathew has filed a memo stating that a No Objection Letter was issued to the petitioner on 18.05.2021 to enable the petitioner to appoint another counsel relinquishing the vakkalath executed by him.

Adjourned to 02.07.2021.

Registry is directed to issue copy of this order to the Petitioner through email.

17 CA(CAA)/01/KOB/2021

Learned PCS for the applicant Shri P.P.Zibi Jose appeared through VC. He submitted that he has filed the required documents as directed by this Tribunal vide order dated 08.04.2021. But the Bench observed that the prayer of the CA has not been amended in accordance with the documents filed. Shri Sibi Jose submitted that he would file an IA to amend the prayer of the CA shortly. He may do so positively before the next date fixed.

List on 18.06.2021.

18 IA/217/KOB/2020 IN TCP/26/KOB/2019 (CP/716/19)

Learned counsel for the Petitioner Shri Aswin Gopakumar sought an adjournment through email stating that he is unable to access the office due to Covid 19 lock down.

Learned counsel for Respondents Smt. S. Manjula Devi expressed willingness to appear through VC. Adjourned to 25.06.2021.

19 TCP/26/KOB/2019 (CP/716/19)

Learned counsel for the Petitioner Shri Aswin Gopakumar sought an adjournment through email stating that he is unable to access the office due to Covid 19 lock down.

Learned counsel for Respondents Smt. S. Manjula Devi expressed willingness to appear through VC.

Adjourned to 25.06.2021.

20 MA/207/KOB/2020 IN IA/129/KOB/2020 IN TIBA/07/KOB/2019

No response from the counsel for the applicant. Shri CA Jasin Jose, for R1 and Shri Mohan Jacob George for R2 intimated their willingness to appear through VC. Adjourned to **28.6.2021 at 2.30 pm** for further hearing as Part Heard.

21 TCP/52/KOB/2019 (CP/7/2017)

Learned counsel for the Petitioners Shri T.K. Bhaskar sought an adjournment through email stating that he is unable to access the documents due to covid 19 lockdown.

Adjourned to 29.06.2021.

22 IA/58/KOB/2019 IN CP/114/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard.**

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

23 IA 83/KOB/2020 IN CP/114/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard.**

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

24 IA/87/KOB/2020 IN CP/114/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard.**

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

25 IA/95/KOB/2020 IN CP/114/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard.**

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

26 CP/114/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard.**

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

Issue a copy of this order to both sides through email.

27 IA/65/KOB/2019 IN CP/119/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

28 IA/84/KOB/2020 IN CP/119/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

29 IA/86/KOB/2020 IN CP/119/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

30 **IA/93/KOB/2020 IN CP/119/KOB/2019**

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

31 **CP/119/KOB/2019**

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

Issue a copy of this order to both sides through email.

32 **IA/85/KOB/2020 IN CP/125/KOB/2019**

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

33 IA/88/KOB/2020 IN CP/125/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

34 IA/94/KOB/2020 IN CP/125/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

35 CP/125/KOB/2019

Shri Sukumar Ninan Ommen, learned counsel for applicant/petitioner intimated his willingness to appear through VC. Shri PP Zibi Jose sought an adjournment stating that he was infected with Covid 19 and he is now taking rest. Shri Sumit Aggarwal intimated his willingness to appear through VC. No response from Advocate Sanjay appearing for respondents. List on **30.6.2021 at 2.30 pm** for further hearing as **Part Heard**.

It is noticed that the Respondents have not filed their argument note. If they want to file the argument note, it should be filed within two weeks from today.

Issue a copy of this order to both sides through email.