

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH
GUWAHATI**

**IA (IBC)/48/2021
IN
C.P. (IB)No.05/GB/2018**

Coram: Hon'ble Shri H. V.Subba Rao, Member (J): **Hearing through**
Hon'ble Shri Prasanta Kumar Mohanty, Member (T): **Video Conference**

**ATTENDANCE-CUM- ORDER SHEET OF THE HEARING OF GUWAHATI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 03.09.2021**

Name of the Company: Hrisikesh Dasgupta ... Liquidator /Applicant
Dena Bank (Now Bank of Baroda) ... Financial Creditor
V/s
Bluefern Ventures Pvt. Ltd. ... Company (in
liquidation)

Section of the Companies Act: Under Section 60(5)(C) of IBC, 2016 read with
Regulation 47A of IBBI

S. NO.	NAME (CAPITAL LETTERS)	DESIGNATION	REPRESENTATION	SIGNATURE
1.	MR. PRANAY AGARWAL	Advocate	Petitioner	Present in Video
2.	MS. ANKITA BAID	Advocate	Petitioner	Conference
3.	NONE	-	Respondent	

ORDER
Date of Order: 03.09.2021

The matter is taken up for hearing through video conferencing. The learned Counsels Mr. Pranay Agarwal and Ms. Ankita Baid appearing for the Liquidator are present. No one is present on behalf of the Respondent / FC – Bank of Baroda.

2. The Petitioner / Liquidator has submitted that the liquidation proceedings could not be completed due to Second Wave of COVID 19. He has submitted the reasons for non-completion and requested for exclusion of 90 days from the period of liquidation from 17.04.2021 to 16.07.2021 so that liquidation proceedings can be completed. Heard the learned Counsels appearing for the Petitioner.

3. **Matter is reserved for orders.**

Sd/-
(Prasanta Kumar Mohanty)
Member (Technical)
& Adjudicating Authority
/Deka/03.09.2021/

Sd/-
(H. V. Subba Rao)
Member (Judicial)
& Adjudicating Authority

"O R D E R

Date of Order: 17.08.2021

Matter is taken up today for hearing through video conferencing. Learned Counsels Mr. A. K. Srivastava and Mr. Akash Sharma are present on behalf of the Petitioners. Learned Counsel Mr. Ratnako Banerjee is present on behalf of the Respondents No 1 to 8. Learned Counsels Mr. Anjan Kumar Roy and Ms. Nirmalya Dasgupta are present on behalf of the Respondents No.9 and 10. Heard both the sides including Respondents No.9 and 10.

2. The Respondents are directed to file their replies within 10 days from today. Copy of the same is to be given to the Petitioners. Another 7 days is given to the Petitioner to file their rejoinder, if any, and a copy of the same is to be given to the Respondents.

*3. **List the matter on 08.09.2021.***

3. The learned Counsel for the Respondents here has submitted that he has no information from his client with regards to the receipt of the copy of this Application filed by the Applicant. The Petitioner has confirmed that it has sent the copy of this petition to the Respondents. However, the Applicant is directed to send the copy of the Application to the Respondents. Since, the main Petition i.e. CP No.10/GB/2021 is listed on 08.09.2021, this matter is adjourned.

4. **List the matter on 08.09.2021 along with the main Petition CP No.10/GB/2021.**

Sd/-

(Prasanta Kumar Mohanty)
Member (Technical)
/Deka-03.09.2021/

Sd/-

(H. V. Subba Rao)
Member (Judicial)

and copy of the Petition to the Respondents through e-mail of the Respondent Company. The Counsel has also informed that a name of a Resolution Professional has been suggested for this matter. He has prayed for admission of the Application.

3. Since the Respondent is yet to appear, in the interest of justice, once more opportunity is given to the Respondents. The Petitioner is directed to send the notice and copy of the Petition to the Respondents once again by speed post. Copy of proof of delivery of the notice and copy of the Petition to the Respondents is to be filed before the Registry before 03.09.2021. The Petitioner is also directed to convey the next date of hearing to the Respondents through e-mail.

4. List the matter on 03.09.2021."

3. The learned Counsel for the Petitioner was earlier directed to forward the copy of the Petition once again by speed post and to file the copy of proof of service of the notice as well as the copy of the Petition to the Respondent before the Registry. The learned Counsel for the Petitioner has submitted that he has sent the copy of the Petition to the Respondent but confirmation of delivery is yet to be received. Hence, he prays for 7 days' time to confirm delivery of the copy of the Petition and the notice to the Respondents. As requested, 7 days' time is granted.

4. List the matter on 16.09.2021.

Sd/-
(Prasanta Kumar Mohanty)
Member (Technical)
& Adjudicating Authority
/Deka-03.09.2021/

Sd/-
(H. V. Subba Rao)
Member (Judicial)
& Adjudicating Authority

submitted that the Company Master Data of the MCA clearly shows that the last balance sheet of the Company was filed as on 31.03.2010. The Company is inactive. The learned Counsel for the Petitioner has prayed for publication of the notice through Newspapers. However, in the absence of delivery of notice and the Petition copy to the Respondent, it is not appropriate to proceed further at this stage. Hence, the Petitioner is directed to make another attempt to serve notice as well as copy of the Petition to the Respondent through Speed Post / E-mail.

3. List the matter on 03.09.2021."

3. During the proceedings, the learned Counsel appearing for the Petitioner was required to clarify certain points i.e. as reported by the Petitioner itself the Respondent Company is not in existence, they are not able to serve the notice upon the Respondent. The last balance sheet was filed by the Respondent only as on 31.03.2010. Under these circumstances, whether the Petitioner wants to peruse the matter.

4. The learned Counsel for the Petitioner sought for 3-4 days' time to seek clarifications from his client relating to the delivery of the notice/publication of notice through News Paper and continuation of the Case. Time is granted as requested for.

5. List the matter on 16.09.2021.

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& Adjudicating Authority
/Deka-03.09.2021/

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