

NCLT, KOCHI**Daily Orders – Draft****In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)****Date: 6th July 2020****1 CP/98/KOB/19**

No response from the petitioners. Learned counsel for R1, R2 and R4 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts. None appeared for R3 even though notice has been served. It is seen from records that Shri Justice (Retd) Ramachandran Nair, who has been appointed by this Tribunal as Mediator vide order dated 13.3.2020 to mediate between the feuding family members regarding partition of family assets and businesses and explore the possibility of settlement in the matter has filed a report stating that he had held several rounds of discussions with the parties and their advocates jointly, severally and individually on several days. However, as of now, no settlement could be arrived at. He has further stated that since mediation should not delay the proceedings before the Tribunal, the Tribunal may proceed in the matter. He has also stated that the parties are free to approach him for mediation again if they so desire.

In view of the above, the matter is adjourned to 7.9.2020 for hearing.

2 CP/99/KOB/2019

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1 to R3 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts. It is seen from records that Shri Justice (Retd) Ramachandran Nair, who has been appointed by this Tribunal as Mediator vide order dated 13.3.2020 to mediate between the feuding family members regarding partition of family assets and businesses and explore the possibility of settlement in the matter has filed a report stating that he had held several rounds of discussions with the parties and their advocates jointly, severally and individually on several days. However, as of now, no settlement could be arrived at. He has further stated that since mediation should not delay the proceedings before the Tribunal, the Tribunal may proceed in the matter. He has also stated that the parties are free to approach him for mediation again if they so desire.

In view of the above, the matter is adjourned to 7.9.2020 for hearing.

3 CP/100/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1, R2 & R4 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts. None appeared for R3 even though notice has been served. It is seen from records that Shri Justice (Retd) Ramachandran Nair, who has been appointed by this Tribunal as Mediator vide order dated 13.3.2020 to mediate between the feuding family members regarding partition of family assets and businesses and explore the possibility of settlement in the matter has filed a report stating that he had held several rounds of discussions with the parties and their advocates jointly, severally and individually on several days. However, as of now, no settlement could be arrived at. He has further stated that since mediation should not delay the proceedings before the Tribunal, the Tribunal may proceed in the matter. He has also stated that the parties are free to approach him for mediation again if they so desire.

In view of the above, the matter is adjourned to 7.9.2020 for hearing.

4 CP/101/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1 to R3 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts. It is seen from records that Shri Justice (Retd) Ramachandran Nair, who has been appointed by this Tribunal as Mediator vide order dated 13.3.2020 to mediate between the feuding family members regarding partition of family assets and businesses and explore the possibility of settlement in the matter has filed a report stating that he had held several rounds of discussions with the parties and their advocates jointly, severally and individually on several days. However, as of now, no settlement could be arrived at. He has further stated that since mediation should not delay the proceedings before the Tribunal, the Tribunal may proceed in the matter. He has also stated that the parties are free to approach him for mediation again if they so desire.

In view of the above, the matter is adjourned to 7.9.2020 for hearing.

5 CP/102/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1 to R3 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts. It is seen from records that Shri Justice (Retd) Ramachandran Nair, who has been appointed by this Tribunal as Mediator vide order dated 13.3.2020 to mediate between the feuding family

members regarding partition of family assets and businesses and explore the possibility of settlement in the matter has filed a report stating that he had held several rounds of discussions with the parties and their advocates jointly, severally and individually on several days. However, as of now, no settlement could be arrived at. He has further stated that since mediation should not delay the proceedings before the Tribunal, the Tribunal may proceed in the matter. He has also stated that the parties are free to approach him for mediation again if they so desire.

In view of the above, the matter is adjourned to 7.9.2020 for hearing.

6 CP/103/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1 to R3 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts. It is seen from records that Shri Justice (Retd) Ramachandran Nair, who has been appointed by this Tribunal as Mediator vide order dated 13.3.2020 to mediate between the feuding family members regarding partition of family assets and businesses and explore the possibility of settlement in the matter has filed a report stating that he had held several rounds of discussions with the parties and their advocates jointly, severally and individually on several days. However, as of now, no settlement could be arrived at. He has further stated that since mediation should not delay the proceedings before the Tribunal, the Tribunal may proceed in the matter. He has also stated that the parties are free to approach him for mediation again if they so desire.

In view of the above, the matter is adjourned to 7.9.2020 for hearing.

7 CP/114/KOB/19 WITH IA 58/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1 to R3 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts.

Adjourned to 7.9.2020 for hearing.

8 CP/119/KOB/19 WITH IA/65/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R1 to R3 submitted an email seeking adjournment stating that since all connected cases and parties being the same and inter-related they are to be heard together and due to the complexities involved it is not advisable to be heard the cases through VC and requested to hear the cases in the court whenever regular sitting starts.

Adjourned to 7.9.2020 for hearing.

9 CP/125/KOB/19

Learned counsel for the petitioners submitted an email to hear the matter through VC. Learned counsel for R3 submitted an email seeking adjournment. None has appeared for R1 & R2 even though notice was served.

List on 7.9.2020 for hearing.

10 CP(CAA)/01/(KOB)/2020

Learned counsel for the petitioner Smt. Telma Raju argued the matter through VC. Report of the ROC on behalf of the Regional Director is on record. The ROC in his report pointed out that the Regional Director vide mail dated 15.6.2020 has stated that the companies have not filed the documents, papers with him as called for by this Tribunal. However, the learned counsel for the petitioner submitted that the petitioners have sent the documents to RD and the same have been received at the office of RD on 22.6.2020 and they are filing an affidavit today to this effect before this Tribunal. The petitioners are directed to pursue the matter with the RD. List on 14.8.2020.

11 CP(CAA)/02/(KOB)/2020

Learned counsel for the petitioner Smt. Telma Raju argued the matter through VC. Report of the ROC on behalf of the Regional Director is on record. The ROC in his report pointed out that the Regional Director vide mail dated 15.6.2020 has stated that the companies have not filed the documents, papers with him as called for by this Tribunal. However, the learned counsel for the petitioner submitted that the petitioners have sent the documents to RD and the same have been received at the office of RD on 22.6.2020 and they are filing an affidavit today to this effect before this Tribunal. The petitioners are directed to pursue the matter with the RD. List on 14.8.2020.