

NCLT, KOCHI**Daily Orders – Draft****In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)****Date: 7th July 2020****1 REPORT NO.55/KOB/2020 IN IBA/258/2019 (CB)**

Learned Liquidator Shri Ravindra Chaturvedi submitted an email stating that the Liquidation Proceedings of the Corporate Debtor have been challenged before the Hon'ble High Court of Kerala wherein the Hon'ble High Court has granted interim stay on the liquidation proceedings vide order dated 20.2.2020 in OP (C) 484 of 2020. The Liquidator stated that he has filed the rejoinder against the petition and has also filed a separate petition for vacating the stay order. However, due to the pandemic situation, the case is not yet listed for hearing.

Report of the Liquidator is taken on record. List on 13.8.2020.

2 REPORT NO.56/KOB/2020 IN MA/22/KOB/2020 IN TIBA/14/KOB/2019

No response from the RP. The Report of the RP is taken on record.

3 REPORT NO. 57/KOB/2020 IN IBA/44/KOB/2019

No response from the RP. The Report of the IRP is taken on record.

4 REPORT NO. 58/KOB/2020 IN IBA/240/CB/IB/2019

The learned counsel for the Liquidator Shi A.G.Sathyanarayana appeared through VC. The liquidator has submitted his status report on 20.3.2020. The Liquidator has stated in his report that considering the interest of the CD (a multi-speciality Hospital) and the necessity of keeping the healthcare business as a going concern, the Liquidator has proposed to sell the Corporate Debtor as a Going Concern under the provision of regulation 32 & 32A of IBBI (Liquidation Process) Regulation, 2019. Accordingly, invitation of bids for sale of the Corporate Debtor "as a going concern" was published on 29.2.2020. In this manner, an opportunity has been offered to M/s. Citron Education Trust (applicant in IA/10/KOB/2020 in IBA/240/CB/IB/2019) to submit their Expression of Interest and Bid. The last date for submission of bids from the Prospective buyers was 16.3.2020. During this period there arose an extraordinary situation of COVID 19 and accordingly the revised due date for submission of the bid was 6.4.2020 and E-Auction was scheduled on 10.4.2020.

Meanwhile, the District Collector submitted an application before this Tribunal requesting to give permission to the District Administration to use the building of the CD as a quarantine centre under COVID 19. After hearing both parties in VC, this Tribunal vide order dated 15th May 2020 has directed the Liquidator to hand over the premises to the District Collector immediately on receipt of the order. It was also ordered that the District collector will return the premises to the Liquidator within two months (60 days) from the date of taking over the premises from the Liquidator and in case the purpose for which the premises taken by the District Collector is not completed, the District Collector may approach before this Bench for further orders.

The learned counsel for the Liquidator submitted in the VC that even though the premises was handed over temporarily to the District Administration, they have not used the premises for COVID 19 quarantine purpose till date. But this Tribunal has not yet received any document to this effect either from the Liquidator or from the District Collector.

The Liquidator is directed to file status report along with related documents, if any, received from the District Administration before the next date fixed. List on 3.8.2020.

5 REPORT NO.60/KOB/2020 IN CP/10/KOB/2020

Learned counsel for the petitioner submitted an email expressing his willingness to appear through VC. The Petitioner Company in their Compliance Report has stated that in due compliance to the order of this Tribunal dated 10.6.2020 they have paid the compounding fee on 18.6.2020. The petitioner has also stated that the Company has also filed the payment challan with the ROC by filing e-form Inc-28 vide SRN R 42229443 on 18.6.2020. The Compliance Report of the petitioner company is taken on record. Registry is directed to inform the matter to the ROC accordingly.

6 CP/07/KOB/2020

Learned counsel for the petitioner submitted an email seeking an adjournment for 3 weeks. No response from the respondents. List on 13.8.2020.

7 TCP/116/KOB/19

Learned counsel for the petitioner submitted an email seeking an adjournment. Learned counsel for R1 submitted an email requesting to hear this TCP through VC along with the IA/80/KOB/2020 today itself. It is seen from records that the said IA stands posted on 4.8.2020. Hence list both CP and IA on 4.8.2020.

8 TCA/29/KOB/19

No response from the petitioner. Learned counsel for the R2 & R3 Shri Philip Mathew submitted an email seeking an adjournment. Pleadings are complete. List on 3.8.2020 for hearing.