

***NCLT, KOCHI*****Daily Orders – Draft****In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)****Date: 9th July 2020****1 TMA/42/KOB/19 (MA/ 450/IB/18(C.B.) ) IN CP/689/IB/2017/(C.B.)**

Today the case is posted for considering the Addendum application. Learned counsel for R2 to R4 Shri S.R. Raghunath appeared in the VC. Learned counsel for the applicant (RP) Shri Ravi Chandran appeared in the VC and stated that he is not pressing the Addendum, which was filed in the TMA/42/KOB/19 (MA/ 450/IB/18(C.B.) in CP/689/IB/2017/(C.B.). Hence Addendum application is dismissed as withdrawn. List the TMA on 5.8.2020 for hearing.

**2 IA/68/KOB/2020 IN CP/96/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned PCS for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**3 IA/69/KOB/2020 IN CP/97/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned PCS for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**4 IA/70/KOB/2020 IN CA/37/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned PCS for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**5 IA/71/KOB/2020 IN CP/95/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned PCS for the respondents in IA submitted an email expressing his willingness to argue the

matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**6 IA/72/KOB/2020 IN CP/94/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned counsel for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**7 IA/73/KOB/2020 IN CA/35/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned PCS for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**8 IA/74/KOB/2020 IN CA/34/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned PCS for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**9 IA/75/KOB/2020 IN CP/93/KOB/2019**

Learned PCS for applicant in IA sought an adjournment through email. Learned counsel for the respondents in IA submitted an email expressing his willingness to argue the matter through VC. Objections to the IA have already been filed. List for hearing on 23.7.2020.

**10 IA 83/KOB/2020 IN CP/114/KOB/19**

Heard the arguments made by the learned counsel for the applicant in the IA Shri Sukumar Ninan Oommen through VC. Learned counsel for respondents sought an adjournment through email. The reliefs sought in the IA include to restrain the 2<sup>nd</sup> Respondent from exercising the powers of the Managing Director of the Company, appoint an Advocate Commissioner to act as interim Managing Director of the Company, etc. The Bench observed that the prayers in the IA and in the CP are one and the same. Hence a decision can be taken only after going through the pleadings of the respondents. The respondents are therefore directed to file their counter to the IA within two weeks from today **positively** serving a copy to the applicant and the applicant is directed to file his rejoinder, if any, before the next date fixed.

The respondents are directed not to conduct any board meeting of the Respondent Company and no further financial transactions shall be made till 7.8.2020. List on 7.8.2020 for final hearing in the IA.

**11 IA/84/KOB/2020 IN CP/119/KOB/19**

Heard the arguments made by the learned counsel for the applicant in the IA Shri Sukumar Ninan Oommen through VC. Learned counsel for respondents sought an adjournment through email. The reliefs sought in the IA include to restrain the 2<sup>nd</sup> Respondent from exercising the powers of the Managing Director of the Company, appoint an Advocate Commissioner to act as interim Managing Director of the Company, etc. The Bench observed that the prayers in the IA and in the CP are one and the same. Hence a decision can be taken only after going through the pleadings of the respondents. The respondents are therefore directed to file their counter to the IA within two weeks from today **positively** serving a copy to the applicant and the applicant is directed to file his rejoinder, if any, before the next date fixed.

The respondents are directed not to conduct any board meeting of the Respondent Company and no further financial transactions shall be made till 7.8.2020. List on 7.8.2020 for final hearing in the IA.

**12 IA/85/KOB/2020 IN CP/125/KOB/19**

Heard the arguments made by the learned counsel for the applicant in the IA Shri Sukumar Ninan Oommen through VC. Learned counsel for respondents sought an adjournment through email. The reliefs sought in the IA include to restrain the 2<sup>nd</sup> Respondent from exercising the powers of the Managing Director of the Company, appoint an Advocate Commissioner to act as interim Managing Director of the Company, etc. The Bench observed that the prayers in the IA and in the CP are one and the same. Hence a decision can be taken only after going through the pleadings of the respondents. The respondents are therefore directed to file their counter to the IA within two weeks from today **positively** serving a copy to the applicant and the applicant is directed to file his rejoinder, if any, before the next date fixed.

The respondents are directed not to conduct any board meeting of the Respondent Company and no further financial transactions shall be made till 7.8.2020. List on 7.8.2020 for final hearing in the IA.

**13 CP/05/KOB/2020**

No response from the petitioner. Learned counsel for R1 to R4 submitted an email seeking an adjournment of one month due to Covid 19 pandemic in different areas in Ernakulam District. List on 14.8.2020.