

NCLT, KOCHI BENCH**Daily Orders – Draft****In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)****Date: 5th Nov 2020****1 CA/31/KOB/2020**

Learned counsel for the Appellant Shri Shameed Ahmed appeared through VC. Order pronounced. **CA/31/KOB/2020 is disposed of vide separate order.**

2 CA/34/KOB/2020

Learned counsel for the Appellant Shri Shameed Ahmed appeared through VC. Order pronounced. **CA/34/KOB/2020 is disposed of vide separate order.**

3 MA/150/KOB/2020 IN IBA/49/KOB/2019

Learned counsel for the Applicant Shri Sharad Kodianthara as well as learned counsel for RP Shri Vinod PV appeared through VC. **Order pronounced. MA/150/KOB/2020 is disposed of vide separate order.**

4 IA/90/KOB/2020 IN IBA/49/KOB/2019

Learned counsel for the applicant Shri Mohan Pulickkal appeared through VC. Learned counsel for R1 Shri Vinod PV and learned counsel for R2 to R5 Shri Abraham Mathew also appeared through VC. **Heard both the parties. Reserved for orders. List for pronouncement of orders on 27.11.2020**

IA/185/KOB/2020 filed in this **IA/90/KOB/2020** to accept additional document is **allowed**, as not opposed. The documents annexed thereto is taken on record.

5 IA/183/KOB/2020 IN IBA/34/KOB/2020

Learned senior counsel for the Applicant/CD Shri Joseph Kodianthara appeared through VC. Learned counsel for the Respondent/OC Shri Akhil Suresh also appeared through VC. This IA is filed for early hearing of IA/175/KOB/2020 filed by the CD. Not opposed. **IA is allowed.** The respondents in IA/175/KOB/2020 sought time to file counter to the IA. Request is allowed. Let the counter be filed before the next date fixed.

List IA/175/KOB/2020 in IBA/34/KOB/2020 on 18.11.2020.

6 IA/184/KOB/2020 IN IBA/35/KOB/2019

Learned IRP Shri Sathiq Buhari appeared through VC. This IA is filed by the IRP seeking the following reliefs from this Tribunal:

- A. Directing the District Collector, Trissur to provide necessary assistance to the IRP to take management and possession of 1st respondent by rendering police protection through Circle Inspector of Police, Pudukkad Police station.

- B. Directing the respondents 2 to 7 to provide necessary assistance and co-operation to the IRP to discharge his statutory duties.
- C. Directing the respondents to provide the following documents to the IRP:
 - (i) Records concerning the business operations for the previous two years from the date of commencement;
 - (ii) Financial and operational payments for the previous two years from the date of commencement.
 - (iii) List of assets and liabilities with balance sheet.
 - (iv) Details of creditors and debtors
 - (v) Details of Bank accounts and also updated statement of accounts.

I have heard the IRP and perused the records. It appears from records that the IRP has not yet made any formal request to the District Collector with regard to any assistance required from the Police Department. The IRP has also not requested the suspended directors to hand over the required documents to enable him to complete the CIR Process. Anyhow, IRP is directed to give formal request to the Superintendent of Police, Trichur seeking assistance from Police Department, if required, in connection with the Corporate Insolvency Resolution Process against the Corporate Debtor, stating specifically the force required for the purpose. The RP has to bear the costs for the assistance provided by the Police Department. If request is received, the Superintendent of Police, Trichur shall make arrangements for police assistance to the IRP.

The Corporate Debtor M/s. Goodwin Packpet Pvt Ltd and its suspended Directors Kavath Achuthan Anirudhan, Muraly Narayanan, Cheerambath Manikutty Rajeevan, Puthuplally Pavithran Sathees, Prasanth Kumar Santhosh Bhavan Krishnan Nair and Suresh Babu Kattappilly are directed to co-operate with the Interim Resolution Professional. The suspended directors are also directed to provide the documents listed (i) to (v) to the Interim Resolution Professional without fail, at any rate, within 7 days from today.

Accordingly, IA/184/KOB/2020 is disposed of. Registry is directed to communicate a copy of this order to the Superintendent of Police, Trichur and the suspended Directors through email.

7 REPORT NO.108/KOB/2020 IN MA/30/KOB/2019 & IA/71/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH

I have perused Report No.108/KOB/2020. The report is accepted and taken on record. Registry is directed to place the report at the appropriate file.

8 REPORT NO.109/KOB/2020 IN MA/45/KOB/2019 IN MA/30/KOB/2019 IN IBA/240/(IB)/2019/CHENNAI BENCH

I have perused Report No.109/KOB/2020. The report is accepted and taken on record. Registry is directed to place the report at the appropriate file.

9 MA/166/KOB/2020 IN IBA/240/(IB)/2019/CHENNAI BENCH

Learned counsel for the Applicant Shri Alexander George appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar also appeared along with his counsel Shjri A.G.Sathyanarayana through VC. Orders passed. **MA/166/KOB/2020 is disposed of vide separate sheets.**

10 MA/76/KOB/2020 IN IBA/240/(IB)/2019/CHENNAI BENCH

Learned Liquidator Sri Mahalingam Suresh Kumar appeared along with his learned counsel Shri A.G.Sathyanarayana through VC. **Adjourned to 12.1.2021 for hearing. List as Part Heard.**

11 MA/151/KOB/2020 IN IBA/240/(IB)/2019/CHENNAI BENCH

Learned GP Shri Mohammed Fazil MP appeared through VC. Learned Liquidator Shri Mahalingam Sureshkumar as well as his counsel Shri A.G.Sathyanarayana also appeared through VC. Heard both the parties. **Orders passed. MA/151/KOB/2020 is disposed of vide separate sheets.**

12 IBA/32/KOB/2020

Learned counsel for the operational creditor Sri Vinod PV appeared through VC. Even though link was provided, learned counsel for Respondents did not appear. Learned counsel for the operational creditor stated that CD has filed an additional affidavit stating that there is a chance of settlement. Hence, he sought an adjournment. List on **17.12.2020**.

13 CP/124/KOB/2019

Learned counsel for the petitioner sent an email stating that since the petitioner is not residing in India, instructions regarding the matter are not forthcoming. Hence he sought an adjournment. Learned counsel for the respondent intimated their willingness to appear through VC. Adjourned to **4.1.2021**.

14 CP/07/KOB/2020

Learned counsel for the petitioner Shri Philip Mathew and learned counsel for the respondent No.1 appeared through proxy counsel, in the VC. It is stated that the counter has been filed, to which learned counsel for petitioner sought two weeks time to file rejoinder. List on **6.1.2021**. Rajinder, if any, be filed before that date.

15 CP/28/KOB/2020

Learned counsel for the petitioner Shri Philip Mathew appeared through VC. Learned counsel for respondents 1,2,3,4,& 6 Shri Abraham P.George also appeared through VC. It appears from the records that Speed Post notice sent to R5 has been returned with the postal remarks "refused". None appeared for R5. **Hence, R5 is set exparte.** Respondents have not filed counter. Respondents are granted four weeks' time to file counter. List for hearing on **21.1.2021**. Petitioner may file rejoinder, if respondents filed counter.

16 CA/75/KOB/2020

No response from the learned counsel for the appellant. ROC report is received. List on **11.11.2020** for hearing.

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