

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH – I CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **06.06.2022 at 10.30 AM** THROUGH VIDEO CONFERENCING

**PRESENT: SMT. R. SUCHARITHA, MEMBER (JUDICIAL)
SHRI. SAMEER KAKAR, MEMBER (TECHNICAL)**

IN THE MATTER OF : Emmanuel Engineering Pvt Ltd

MAIN PETITION NUMBER : TCP/385/IB/2017

(IA/MA) APPLICATION NUMBERS

MA/752/2019; MA/784/2019; MA/1359/2019; IA/226(CHE)/2022 IN CA/226/2019

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MA/752/2019
MA/784/2019
MA/1359/2019
IA/226(CHE)/2022 IN CA/226/2019

ORDER

MA/752/2019 :- Indian Overseas Bank is represented by the Ld. Counsel Mr. M.L. Ganesh and the Successful Resolution Applicant is represented by the Ld. Counsel Mr. Jesus Moris Ravi through video conferencing mode.

This application has been filed by Indian Overseas Bank against the Liquidator of Emmanuel Engineering Pvt Ltd.

There is no representation on behalf of the Liquidator Mr. Subramaniam

It is stated that the Successful Resolution Applicant has filed the Counter. No representation by the Liquidator.

The Applicant shall take fresh notice to the Liquidator and file Affidavit of Service (AoS) before the next date of hearing.

Copy of the Application along with the fresh notice shall also be marked to IBBI for their record and further action.

List the matter on **05.07.2022** for filing AoS and appearance of the Liquidator.

MA/784/2019 :- This application has been filed by the Resolution Applicant against the banker (Indian Overseas Bank) seeking for discharge of the mortgage since the plan has already been implemented.

Ld. Counsel for the Successful Resolution Applicant herein seeks permission to file a Memo for withdrawal of MA/784/2019.

The Petitioner shall file a Memo for withdrawal on or before the next date of hearing.

List the matter on **05.07.2022** for further hearing.

MA/1359/2019 :- This application has been filed under section 74 of the IBC, 2016 against the two Suspended Board of Directors of the Corporate Debtor.

There is no representation for both the Respondents.

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The Liquidator and the Monitoring Committee have not been impleaded as a party to the Proceedings.

List the matter on **05.07.2022** on the question of maintainability of this application.

IA/226(CHE)/2022 IN CA/226/2019:- The Applicant is represented by the Ld. Counsel Mr. Jesus Moris Ravi and R1 is represented by the Ld. Counsel Mr. S. Arivazhagan.

There is no representation for R2 and R3.

The Applicant shall take fresh notice to R2 and R3.

Ld. Counsel for the Applicant submits that the possession of the property is in the custody of the Applicant herein.

Ld. Counsel for the Applicant further seeks a direction to R1 and R2 to hand over the original title deeds of the property to the Applicant herein.

Ld. Counsel for R1 seeks time to file counter. Let the same be done before the next date of hearing.

List the matter on **05.07.2022** for counter and appearance of R2 and R3.

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(SAMEER KAKAR)
MEMBER (TECHNICAL)

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(R. SUCHARITHA)
MEMBER (JUDICIAL)