

NATIONAL COMPANY LAW TRIBUNAL
COURT-I, MUMBAI BENCH

Item 27

IA 619/2020 IA 479/2021 IA 542/2021 IA 1170/2021 IA 1763/2021 IA 2595/2021 IA 2912/2021 IA 2915/2021 IA 2916/2021 IN C.P. (IB) 30/MB/2017

CORAM:

SH. K. K. VOHRA
HON'BLE MEMBER (T)

JUSTICE P.N. DESHMUKH (Retd.)
HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING ON **01.006.2022**

NAME OF THE PARTIES: - **Marmagoa Steel Ltd.**

Appearance (via video-conference):

For the Applicant – IA 619	:	Mr. Ashish Pyasi a/w Mr. Karan Valecha, Advocates
IA 542	:	Ms. Suyesha Kakarla, Advocate
For the Respondent – IA 619, 542:		Mr. Devraman Rajan, AR of Liquidator
Liquidator	:	Mr. Pravin Navandar
For the main Financial Creditor	:	Mr. Pulkitesh Dutta Tiwari, Advocate
For EPFO	:	Adv. Shraddha Talkar i/b Ravi Rattesar
For Respondent – IA 2915	:	Adv Maya Majumdar
For R1 – IA 1170	:	Adv. Akash Rebello a/w Adv. Nadeem Shama & Adv. Hubab Sayyed

Sections 60(5) & 10 of the IBC, 2016 & Rule 11

ORDER

IA 619/2020

This is an Application filed by the erstwhile Resolution Applicant for (a) relieving the erstwhile Resolution Application from certain liabilities; (b) praying that certain expenses incurred by the erstwhile Resolution Applicant be treated as the CIRP cost.

Mr. Pulkitesh Dutta Tiwari has appeared for Financial Creditor (FC) and has stated that he is an interventionist in IA 619 of 2020 and has filed IA 844 of

2022 wherein he has objected to the prayer in IA 619 of 2020 and has stated that he has been paid with certain amount by the erstwhile Resolution Applicant (RA) and RA wants to take back money paid to FC as CIRP cost is paid before the payment to the FC. It is noted that by order dt. 10.02.2021, this Court while passing order of liquidation of the Corporate Debtor had kept the present Application pending directing the same to be separately listed wherein RA had expressed inability for implementation of the Resolution Plan. **List IA 619 of 2020 along with IA 844 of 2022 on 06.07.2022** for a consolidated view on the matter.

IA 479/2021

None present. We have observed that the Hard Copies of this Application have not yet been submitted. Application is directed to place on record Hard Copies in two sets well before the adjourned date. List this matter on **06.07.2022**.

IA 542/2021

This is an Application filed by the Financial Creditors for replacement of the Liquidator. The Applicant has not pressed the prayer clause (a) of the Application. The Applicant has suggested name of Mr. Sudesh Ganesh Kamat as the Proposed Liquidator and submits that the letter of consent from the Proposed Liquidator dt. 16.12.2019 is at Page 12 of the Application. Applicant is directed to submit fresh letter of consent including information on continued eligibility of the Liquidator as registered Liquidator with Insolvency and Bankruptcy Board of India as on date and about any

disciplinary action against the Liquidator. The present Liquidator Mr. Pravin Navandar has no objection for the replacement of the Liquidator. Applicant is at liberty to submit Additional Affidavit attaching the required documents by the adjourned date. Applicant is further directed to submit documents giving details of the dues of the current liquidator and the plan for settlement thereof. List this matter on **06.07.2022**.

IA 1170/2021 IA 1763/2021 IA 2595/2021 IA 2912/2021 IA 2915/2021 IA 2916/2021

List these Applications on **06.07.2022**. Respondents are at liberty to place on record Affidavit in Reply well before the adjourned date by duly serving copy to the other side well in advance.

Sd/-

K. K. VOHRA
Member (Technical)

Vedant

Sd/-

JUSTICE P.N. DESHMUKH
Member (Judicial)