

201

NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

CP(IB)No.1175/KB/2019

Present: 1. Hon'ble Member(J), Shri Jinan K.R.

2. Hon'ble Member (T), Shri Harish Chander Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 5<sup>th</sup> March, 2020, 10:30 A.M

Name of the Company		Outlook Tracom Pvt. Ltd. Vs. Toshniwal Enterprises Controls Ltd.	
Under Section		7 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

JITENDRA LOHIA

KAMAL NAYAN JAIN

RP

J. K.

5/3/20

Mr. Rajesh Toshniwal

Suspended Director

Ms. Pooja Jewrajka

Advocate for  
Suspended director

Ms. P.K. Jewrajka

P. L.  
5/03/2020

CA MAYANK PARAKH

CA. A.R.  
for  
Ms. Ganga  
Bhavani.

M. L.  
05/03/2020.

**ORDER**

Ld. Resolution Professional (RP) with his Counsel appears. Mr. Rajesh Toshniwal, suspended Director of the Corporate Debtor in person appears. Ld. Counsel for Mr. Rajesh Toshniwal, suspended Director appears. Ld. Pr. CA for Mrs. Ganga Bhavani Badarla appears.

3<sup>rd</sup> Progress Report is filed. It is recorded.

After hearing the submissions on the side of the RP and the suspended directors, who appeared in person, we are not at all satisfied with the submissions of the suspended Director. However, one more opportunity is given to the suspended Director to cooperate with the RP by providing all necessary documents, which are available with him including information regarding the assets and liability and any other information related to the management of the affairs of the Company, as required by the RP. RP is directed to have a joint visit with the suspended Director at the Office of the Corporate Debtor at 3 P.M. today and take inventory of available documents by the representative of the Resolution Professional jointly in presence of the suspended Director.

We also direct other suspended Directors of the Corporate Debtor to appear in person on the next date of hearing. All the suspended Directors are expected to co operate with the RP.

It is further submitted that in a case u/s. 138 of the Negotiable Instrument Act Muchipara Police Station has ceased all the laptops of the Directors and employees of the Corporate Debtor, as such he could not provide soft data kept in the laptop. Therefore, SHO, Muchipara P.S. is hereby directed to provide all necessary facilities/assistances so that the Resolution Professional in the presence of the suspended Director can extract soft copy from the laptop kept under their custody. If needed, with permission from the Magistrate concern.

Serve a free copy of the order to the Resolution Professional.

List the matter on 21/04/2020 for further consideration.



(Harish Chander Suri)  
Member (T)



(Jinan K.R.)  
Member (J)