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**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 02.03.2020

CAUSE LIST - 2

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittanala
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB)No. 216/BB/2018	For hearing IA 127/2020 - CIRP	Sec 7 of I&B code 2016	M/s Axis Bank Ltd	Poornima Hatti	M/s Karuturi Global Limited	Shri Ghanshyam Das Mundra, RP Shreyas Jayasimha for RP


ADVOCATE FOR PETITIONER/s:

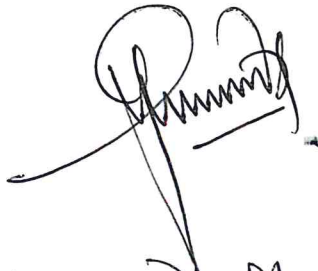
MR AAKASH SHERWAL, ADVOCATE FOR RP
MR PRANAV GOPALAKRISHNAN, ADVOCATE FOR RP.

IA NO . 127/2020

ADVOCATE FOR RESPONDENT/s:

POOJA KIN
Advocate for Financial creditor


9177483768


Ghanshyam Das Mundra
RESOLUTION PROFESSIONAL

ORDER

Heard Mr. Aakash Sherwal, along with Mr. Pranav Gopalkrishnan, Learned Counsels for the RP, Mr. Ghanshyam Das Mundra, the Resolution Professional and Ms. Pooja Kini, Learned counsel for the Petitioner. I.A NO. 127 of 2020 in CP (IB) 216/BB/2018 is disposed of vide separate order. Post the case on 13.04.2020.



MEMBER (T)



MEMBER (J)

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH

I.A. No.127 of 2020 in
C.P. No.216/BB/2018
U/s 14 & 60 (5) IBC r/w Rule 11
of NCLT, Rules 2016

Between:

Mr. Ghanshyam Das Mundra,
Resolution Professional
Karuturi Global Limited,
E-204, Ashok Garden,
T J Road, Sewree,
Mumbai – 400 015

- Applicant

And

Mr. Anil Tumu
No.90/1, Narayanahalli Village,
DoddabelabengalaHobli,
Bangalore – 561 204

- Respondent

Date of Order: 2nd March, 2020

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Shri Ashutosh Chandra, Member (Technical)

Parties/Counsels Present:

For the Applicant : Mr. AakashSherwala/w
MR. Pranav Gopalkrishnan

For the Petitioner : Mr. Pooja Kini

ORDER

Per: Rajeswara Rao Vittanala, Member (J)

1. I.A. No. 127 of 2020 in C.P. (IB) No.216/BB/2018 is filed by Mr. Ghanshyam Das Mundra, Resolution Professional of M/s. Karuturi Global Limited (hereinafter referred to as 'Applicant/Resolution Professional') under Section 14 & 60 (5) of IBC r/w Rule 11 NCLT, Rules 2016 by inter alia seeking the following reliefs:



- a. Pass necessary orders prohibiting the Respondent herein from proceeding to prosecute O.S 95/2020 instituted before the Hon'ble Senior Civil Judge, Doddaballapur;
 - b. Permit the Applicant herein to take possession of the schedule property in furtherance of the speaking order dated 17th February 2020
 - c. Direct the local police at Doddaballapur to provide all necessary assistance to the Applicant in performing his statutory duties
 - d. Pass any such other order as it may deemed fit in the interest of justice and equity.
2. Heard, Mr. AakashSherwal, Learned Counsel for the Resolution Professional and Ms. Pooja Kini Learned Counsel for the Financial Creditor. We have carefully perused the pleadings of the Parties, and the extant provisions of Companies Act, 2013, the Rules thereunder, and the Law on the issue.
3. Though the Learned Counsel prayed above three prayers, he has restricted the relief No. 'C', and thus urged this Adjudicating Authority to pass necessary orders by directing the local Police to provide necessary assistance to the Applicant/RP in performing his statutory duties.
4. It goes without saying it is the responsibility of the local Police to extend necessary assistance to RP in discharging his duties as RP, as per law. Therefore, it would be appropriate for the Applicant/RP to make a representation to the local Police to seek necessary assistance in discharging his statutory Authorities.
5. In the result, I.A No. 127 of 2020 in CP (IB) No. 216/BB/2018 is disposed of, by granting liberty to the Applicant/RP to approach the concerned Local Police seeking assistance in discharging his

statutory duties, and on receipt of representation from RP, the concerned Police Authorities, may consider the same, and extend the necessary protection in accordance with law.



**ASHUTOSH CHANDRA
MEMBER, TECHNICAL**



**RAJESWARA RAO VITTANALA
MEMBER, JUDICIAL**

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