



2025:KER:98129

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

FRIDAY, THE 19<sup>TH</sup> DAY OF DECEMBER 2025 / 28TH AGRAHAYANA, 1947

WP(C) NO. 47999 OF 2025

PETITIONER:

M/S NELLAI PLANTATIONS PRIVATE LIMITED  
II/286, MUNDAKAYAM, KOTTAYAM, KERALA  
REPRESENTED BY ITS MANAGING DIRECTOR ALEXANDER.K.M  
AGED 74 YEARS S/O K.M.MATHEW, KARIKALAKAVUNKAL,  
31ST MILE, MUNDAKAYAM.P.O, KOTTAYAM DISTRICT,  
PIN - 686513

BY ADV SMT.VIJAYAKUMARI

RESPONDENTS:

- 1 THE SOUTH INDIAN BANK LTD  
SIB HOUSE, T B ROAD, MISSION QUARTERS,  
TRISSUR, KERALA, PIN - 680001
  - 2 UNION OF INDIA  
REPERESNTED BY ITS SECRETARY, GOVERNMENT OF INDIA,  
NEW DELHI, PIN - 110001
  - 3 NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH  
REPRESENTED BY ITS DEPUTY REGISTRAR, NCLT,  
KAKKANAD, ERNAKULAM, PIN - 682021
  - 4 ALLEN BOSCO  
THEKKEL HOUSE, BNRA 8, BOSCO NAGAR,  
NADATHARA.P.O, TRISSUR, KERALA, PIN - 680751
- DSGI SMT.O.M.SHALINA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 19.12.2025, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:



2025:KER:98129

**VIJU ABRAHAM, J.****W.P.(C) No.47999 of 2025**Dated this the 19<sup>th</sup> day of December, 2025**JUDGMENT**

Though the petitioner has approached this Court challenging the order dated 12.12.2025 in C.P(IB)/38/KOB/2025 passed by the National Company Law Tribunal, Kochi Bench, learned counsel for the petitioner limited her relief and requested to grant a breathing time so as to approach the National Company Law Appellate Tribunal for the reason that the certified copy, though applied as evident from Ext.P10, has not been issued by the National Company Law Tribunal, Kochi Bench, without which an appeal could not be filed.

2. Heard both sides.

Taking into consideration the limited relief sought for by the petitioner, I am inclined to dispose of the writ petition as follows:

The National Company Law Tribunal, Kochi Bench shall issue a certified copy of the order dated 12.12.2025 in C.P(IB)/38/KOB/2025 within a period of one week from the date of receipt of a copy of the judgment. To facilitate the filing of appeal before the National Company



2025:KER:98129

Law Appellate Tribunal, all further proceedings pursuant to the order in C.P(IB)/38/KOB/2025 dated 12.12.2025 shall remain stayed for a period of three weeks from today.

Sd/-  
**VIJU ABRAHAM**  
**JUDGE**

cks



2025:KER:98129

APPENDIX OF WP(C) NO. 47999 OF 2025

## PETITIONER EXHIBITS

|              |                                                                                                                                                                                      |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit:-P1  | TRUE COPY OF THE SANCTION LETTER DATED 20/11/2027                                                                                                                                    |
| Exhibit:-P2  | TRUE COPY OF DEMAND NOTICE DATED 23/07/25                                                                                                                                            |
| Exhibit:-P3  | TRUE COPY OF THE COMPANY PETITION FILED BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, KOCHI BENCH IN C.P. NO. 21/KOB/2025                                                                |
| Exhibit:-P4  | TRUE COPY OF THE SALE DEED NO.1417/90 SRO, KADAYAM DATED 31/08/1990                                                                                                                  |
| Exhibit:-P5  | TRUE COPY OF THE SALE DEED NO.1416/90 SRO, KADAYAM DATED 31/08/1990                                                                                                                  |
| Exhibit:-P6  | TRUE COPY OF THE SALE DEED NO.1407/90 SRO, KADAYAM DATED 30/07/1990                                                                                                                  |
| Exhibit:-P7  | TRUE COPY OF THE COMMON ENCUMBRANCE CERTIFICATE OF EXT.P4, P5 AND P6 ISSUED BY THE REGISTRATION DEPARTMENT, TAMIL NADU                                                               |
| Exhibit:-P8  | TRUE COPY OF REPLY FILED BY THE CORPORATE DEBTOR IN THE COMPANY PETITION FILED BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, KOCHI BENCH IN C.P. NO. 38/KOB/2025 BY THE CORPORATE DEBTOR |
| Exhibit:-P9  | TRUE COPY OF THE ORDER ISSUED BY THE 3RD RESPONDENT IN EXT.P3 DATED 12/12/2025                                                                                                       |
| Exhibit:-P10 | TRUE COPY OF THE COPY APPLICATION FILED BEFORE NCLT, KOCHI FOR THE CERTIFIED COPY OF ORDER IN CP(IB).NO.38/25 DATED 12/12/25                                                         |