



DIVISION BENCH

S-14

COURT - I

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

TP/17(KB)2022
IA(COMPANIES.ACT)/100(KB)2024,
IA(COMPANIES.ACT)/99(KB)2024,
IA(COMPANIES.ACT)/101(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 12TH JUNE 2024

IN THE MATTER OF	AUROMA COKE LTD VS IMPEX FERRO TECH LTD
UNDER SECTION	SEC 433(E)/433(F) OF CA 1956

Appearances (via video conferencing/physically)

Mr. Rishav Banerjee,Adv.] For the IRP
Ms.Pallavi Ray, Adv.]
Mr.Rahul Sharma,Adv.]
Mr.Rajiv Kr.Agarwal,]IRP

O R D E R

1. Ld.Counsel for the IRP present.
2. **IA(COMPANIES.ACT)/100(KB)2024-** is an application filed by the IRP placing on record the report certifying for constitution of the Committee of Creditors which is at page 32-35 and this application is duly supported by an affidavit of IRP at page 12. This report is taken on record and IA is **allowed and disposed** of .
3. **IA(COMPANIES.ACT)/101(KB)2024-**
 - i. This is an application filed by the RP seeking directions on the respondents to register the complaint against erstwhile promoter of Impex Ferro Tech Limited.
 - ii. Ld. Counsel appearing for the RP submits that despite the fact that the CIRP has been initiated against the CD on May 2,2024. He has not been able to take possession of the premises, in view of the non-cooperation and resistance by the suspended Board.

PJ



- iii. It is further submitted that Security Guards have reported that men of suspended board have tried to take away the machinery and raw material of the factory premises of the Corporate Debtor clandestinely.
 - iv. It is prayed that directions be passed on the respondent no. 1 and 2, who are the Police Authorities of the Area to intervene in the matter and register the complaint, investigate and afford proper environment for the RP to take possession of the factory and the record, so that the CIRP can proceed unhindered.
 - v. In view of the above circumstances, Respondent No.1 and 2 hereby directed to take necessary action in the matter and file compliance report and/or a reply affidavit within a period of two weeks.
 - vi. List the matter on **26/06/2024**.
4. **IA(COMPANIES.ACT)/99(KB)2024-**
- i. Proof of service has been filed by the applicant/RP
 - ii. Despite service, none appears for the Respondent.
 - iii. Registry is directed to issue notice to the Director(s) to appear in person on the next date of hearing and to furnish documents as asked for at pages 103 to 109 of Annexure-E to the application and to give possession to the RP immediately, failing which, appropriate orders will be passed.
 - iv. List the matter on **26/06/2024**.

Balraj Joshi
Member (Technical)

Bidisha Banerjee
Member (Judicial)