

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

C.P.(IB) No. 148/KB/2018
CA (IB) No. 702/KB/2019
CA(IB)No.1038/KB/2019
CA(IB)No.1144/KB/2019

Present: 1. Hon'ble Member (J), Shri M.B. Gosavi

2. Hon'ble Member (T), Shri Virendra Kumar Gupta

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 6th September, 2019, 10:30 A.M

Name of the Company	State Bank of India -Vs- Tantia Construction Limited		
Under Section	7 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1.	Mr. Shaulendra Jain, Adv	} for Indian Stone Supplying Co. (P) Ltd, CA(IB)No. 1038/KB/2019	} Sagand. Adv 6/9/19.
2.	Mrs. Swati Agarwal, Adv		

1.	Jayabharata Mukhyi	} for operational Auditors (Bajaj Infrastructure Development Co. Ltd.)
2.	Aarab Dutta	

6/9/19

1)	Mr. Kshitiz Chhawchharia, RP	} For RP
2)	Mr. Sidhartha Sharma, Adv	
3)	Ms. Diprari Thakur, PCJ	

Diprari Thakur
06/09/19

— Order attached —

ORDER (Per Bench)

Ld. RP alongwith Ld. Counsel for the RP appears. CA(IB) 1144/KB/19 is filed by the RP for extension of CIRP period expiring on 08.09.2019. CoC in its meeting dated 27.08.2019 passed resolution by 96% votes for extension of CIRP period. We heard the Ld. Counsel for the RP. CIRP is in progress and CIRP period is extended for 90 days from 08.09.2019. In view of this **CA(IB) 1144/KB/2019 stands disposed off.**

CA(IB) 1038/KB/2019 is filed by one of the Operational Creditors, Indian Supplying Co. Private Ltd. with the request to direct RP to consider his claim. Heard the RP alongwith Counsels for the RP. RP to consider the claim as per the rules. With this direction, **CA(IB) 1038/KB/2019 stands disposed off.**

CA(IB) 702/KB/19 is filed by the RP for direction to the Commissioner of Commercial Taxes, VAT Department to release accounts in State Bank of India, Main Branch, Patna bearing no. 34843805493, which was seized by the bank at the direction of the Commissioner of Commercial Taxes, Bihar. Notice of this application is served on the authority but none appears for them. We heard the Ld. Counsel for the RP. Since the corporate debtor is admitted in CIRP, assets of the corporate debtor must go in possession and custody of RP. In view of this, SBI, Main Branch, Patna is directed to defreeze the account of the corporate debtor. RP is directed to serve copy of this order on the Commissioner of Commercial Taxes, Patna. In view of this, **CA(IB) 702/KB/2019 stands disposed off.**

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Ld. Counsel for one of the Operational Creditors, Bajaj Infrastructure Development Co. Ltd. also appears. He submits that he has already filed application directing RP to consider its claim. Application is yet to come before the Bench. Be that as it may, we heard the Ld. RP. We direct the RP to consider the claim of the above company as per the rules. Any application pending at the registry stands disposed off. Now, matter to appear for further consideration on 24.10.2019.

Sd

(Virendra Kumar Gupta)
Member (T)

Sd

(M. B. Gosavi)
Member(J)