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**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P.(IB)No. 182/KB/2017
CA(IB)No.1305/KB/2019
CA(IB)No1828/KB/2019
CA(CAA)No20/KB/2020
IA(IB) No. 122/KB/2020
IA(IB) NO. 305/KB/2020
IA(IB) No. 194/KB/2020

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

2. Hon'ble Member (T), Shri V.K. Gupta (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 2nd March, 2020, 10:30 A.M

Name of the Company		Gujarat NRE Coke Ltd.(In Liquidation)	
Under Section		10 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. *Sumit Binori* *Lawdeter* *Sumit Binori*
2. *Debu chowdhury Adv. for SFIO (Rec. No. 2)* *Debu chowdhury.*
Mr. Om Narayan Bai for SBIZ *02/03/2020*
Mr. Sachet Raj chowdhury *2/3/20.*
3. *MR. MAULIK NANAVATI* *FOR*
MR. BARNIK GUHSH ADV *STATE TAX OFFICER,*
GUJARAT *2/3/2020*
1. *Shamuk Nite, Adv. for Shareholders*
who have filed
a proposed
Scheme.
Chairman *2/3/20.*
Kamal Balkar Singh

210. C.P.(IB)No. 182/KB/2017
CA(IB)No.1305/KB/2019
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IA(IB) No. 122/KB/2020
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Gujarat NRE Coke Ltd.(In Liquidation)
ORDER

Ld. Liquidator appears. Ld. Counsel for SFIO (respondent no. 2) appears. Ld. Counsel for State Bank of India appears. Ld. Counsel for State Tax Officer Gujrat appears. Ld. Counsel for shareholders who have filed a proposed Scheme appears. Ld. Chairperson of the meeting in CA(CAA)No.20/Kb/2020 appears.

CA(IB)No.1305/KB/2019 is filed by the Liquidator for directing total fifteen Secured Creditors either to relinquish security interest under Section 52 or to proceed under that Section. Almost all have relinquished their claim except one i.e. Laxmi Vilas Bank having 2.49% security interest in the assets of the Corporate Debtor. Despite notice, none appears for Laxmi Vilas Bank. We in our jurisdiction and considering the fact that liquidation process could not be proceeded without their cooperation, their security interest stands relinquished. CA(IB)NO.1305/KB/2019 is allowed in terms all above. Now, Liquidator to proceed with liquidation process. This CA stands disposed of.

CA(IB)No.1828/KB/2019 is again filed by the Liquidator for extension of the period of liquidation. It appears from record that liquidation process is in progress. Hence, liquidation period further stands extended for six(6) months from today. CA(IB)No.1828/KB/2019 stands disposed of.

CA(CAA)No.20/KB/2020 is filed by the Liquidator presenting Scheme file by the equity shareholders under Section 230-232 of the Companies Act, 2013. The Chairperson who was appointed to hold the meeting of creditors and the

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equity shareholders has filed the report. We direct the Chairperson of the said meeting to provide copy of the report to the equity shareholders and to the Liquidator at their cost.

Liquidator filed report of special CoC meeting. We direct that the extracts of the meeting be circulated to the equity shareholders for their consideration.

IA(IB)No.122/KB/2020 is filed by State Bank of India bringing on record certain facts about encashing Bank guarantee of 62 wind mills. We record the fact. However, we make it clear while recording above facts that the allegations made in Part XVIII ^{going to liquidator} in this application are not considered and stands deleted. In view of this, IA(IB)No.122/KB/2020 stands disposed of.

IA(IB)NO.305/KB/2020 is filed by Commission CGST Excise, Gandhinagar (State Tax Officer, Gujrat). We direct the Liquidator to consider its claim as per the rules. In view of this, CA(IB)No.305/KB/2020 stands disposed of.

IA(IB)No.194/KB/2020 is filed by ICICI Bank with direction to the Liquidator to consider its claim. We have already directed the Liquidator to consider its claim and the Liquidator submits that he has already considered the claim. In view of this, this CA becomes infructuous and stands disposed of.

CA(CAA)No.20/KB/2020 to come up for hearing on **14.04.2020**.

Virendra Kumar Gupta
Member (Technical)

Madan B. Gosavi
Member (Judicial)