

**NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH**  
**COURT III**

111. I.A. 962/2020 I.A. 1489/2020 I.A. 325/2021 I.A. 2736/2021 I.A.  
1301/2021 I.A. 304/2021 I.A. 402/2021 I.A. 2370/2021 (60(5)) I.A.  
1700/2022 I.A. 3984/2022 I.A. 3053/2022 I.A. 3054/2022 I.A. 295/2024  
I.A. 2326/2024 I.A. 3074/2024 In C.P.(IB)-4135(MB)/2018

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)  
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL  
COMPANY LAW TRIBUNAL ON **14.06.2024**

NAME OF THE PARTIES: USV Pvt. Ltd  
VS  
Lok Housing & Construction Ltd.

**Appearance**

**For Applicant in IA 2326/2024:** Adv. Rahul D. Oak

**For Applicant in IA 2326/2024:** Adv. Vishal & Kunal Dale

**For Applicant in IA 2370/2021:** Mr. Rohan Agrawal a/w Atir Patel &  
Harsha R. Vyas i/b AVP Partners

**For Applicant in IA 304/2021 & IA 402/2021:** Adv. Yash Jariwala is  
present through VC

**For RP in All IAs:** Adv. Harsh Kesharia is present through VC

**For RP in IA/325/21 & IA 1301/21:** Adv Kunal Mehta & Adv. Harsh  
Kesharia are present through VC

**For Respondent in IA 1489/2020:** Adv. Devashish Godbole is present  
through VC

**For Respondent No. 5 in IA 1301/2021:** Adv. Shyam Kapadia, Mr. Gaurav  
Gopal, Mr. Abinash Pradhan, Mr. Mohit Goyal i/b Wadia Ghandy & Co. are  
present through VC

**For Respondent No. 6 in IA 1301/2021 & IA 325/2021:** Adv. Ravindra  
Ingale is present through VC

**For Respondent No. 2 in IA 1301/2021 & IA 325/2021:** Adv. Mukul Taly a/w Yash Kataria are present through VC

**For Respondent No.1 AGRC & Respondent No.4 SRA in IA 325 of 2021 and IA 1301 of 2021:** Adv. Anoop Patil is present through VC

SECTION 7 OF THE IBC, 2016

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**ORDER**

**Hearing Through: Virtually and Physical (Hybrid) Mode**

**IA 962/2020** – This application has been filed by RP seeking following prayer:

- a) *That this Hon'ble Tribunal, in exercise of its powers under Section 19(3) thereby to direct the personnel of Corporate Debtor, its promoters, Directors or any other person associated with the management of the Corporate Debtor to extend all assistance and co-operation to the Resolution Professional as may be required by him in managing the affairs of the Corporate Debtor;*
- b) *That this Hon'ble Tribunal, under Section 19(3) of the Insolvency and Bankruptcy Code 2016, be further pleased to pass an order thereby directing the Corporate Debtor, such personnel or other person to comply with the instructions of the Resolution Professional and to co-operate with him in collection of information and management of the corporate debtor and provide all accounting and statutory records.*
- c) *That the Hon'ble Tribunal be pleased to direct the Respondents, key management personnel and other employees of the corporate debtor to furnish all information/ documents listed in Annexure-A.*
- d) *Costs of the present Application; and*
- e) *Such other and further reliefs as may be deemed fit by this Hon'ble Tribunal in the facts and circumstances of the present matter.*

Prayer (a) and (b) is general in nature and no specific directions are sought. As far as prayer (c) is concerned, Annexure-A is not annexed to the Application. Learned counsel for the RP submits that Annexure-A has been placed on record

by way of an additional affidavit dated 20.01.2024, however has failed to provide us the E-filing number.

As the additional affidavit placing on record Annexure- A, giving the list of the documents required from the Ex- directors, is not available on DMS, RP is directed to upload and ensure the same is reflected on DMS before the next date of hearing. List this matter on **01.08.2024**.

**IA 1489/2020** – Learned counsel for the respondent no 1 submits that the earlier counsel had filed preliminary reply and seeks to file the detailed reply on behalf of the respondent 1. Let the final detailed reply be filed within three weeks. It is made clear that on filing of detailed reply, we will ignore the preliminary reply. If the detailed reply is not filed within three weeks, the earlier reply will be considered and no further opportunity will be granted.

List this matter on **01.08.2024**.

**IA 2736/2021** – None appeared for the applicant. List for appearance/dismissal on **01.08.2024**.

**IA 325/2021 & IA 1301/ 2021**– Ld. Counsel for the RP submits that he is in difficulty today. At his request, matter is adjourned for final hearing on **14.08.2024**.

**IA 304/2021 & IA 402/2021**–

Pleadings are complete.

Learned counsel for the applicant seeks adjournment on the ground that arguing counsel is not available. At his request, matter is adjourned for final hearing on **19.08.2024**. It is made clear no further adjournment would be granted.

**IA 2370/2021 IA 3053/2022 & IA 3054/2022** – Pleadings are complete. List these applications for final hearing on **22.08.2024**.

**IA 1700/2022 & IA 3984/2022** – None appeared for the applicant. List for appearance/dismissal on **01.08.2024**.

**IA 295/2024** – Learned counsel for the RP submits that IA 2766/2024 was allowed by this Tribunal granting extension of CIRP. Hence seeks to withdraw the present application. Accordingly, IA is **disposed of** as **withdrawn**.

**IA 2326/2024** – Learned counsel for the RP/Respondent is present through VC and accepts notice. Reply be filed within a period of three weeks. List this matter on **23.08.2024**.

**IA 3074/2024** – This application has been filed by the RP seeking clarification/modification of the recall of order dated **18.03.2024**.

Issue notice through Registry returnable on **23.08.2024**.

Registry is directed to make available the copy of the notice, postal receipt and track report/acknowledgment before the next date of hearing.

The applicant/petitioner is also directed to serve the notice on the Respondent along with the copy of petition/application (if not already served) and shall file service affidavit along with the copy of notice, postal receipt, track report, email etc. well in advance so that the same is defect free and reflected on DMS before the next date of hearing.

Reply be filed within three weeks from the date of receipt of the notice.

Sd/-  
CHARANJEET SINGH GULATI  
Member (Technical)

//MANISH TIWARI//

Sd/-  
LAKSHMI GURUNG  
Member (Judicial)