

IN THE SPECIAL COURT (TRIAL OF OFFENCES RELATING TO

TRANSACTIONS IN SECURITIES) ACT, 1992

MISCELLANEOUS APPLICATION NO. 92 OF 2006

IN

MISCELLANEOUS PETITION NO. 40 OF 2000

WITH

MISCELLANEOUS APPLICATION NO. 280 OF 2006

IN

MISCELLANEOUS PETITION NO. 30 OF 2000

The Custodian ... Applicant

vs.

M/s. INCAB Industries Ltd. ... Respondent

Mr. Hormaz Daruwalla i/b. M/s. Shilpa Bhate & Associates for the Custodian.

Ms. Niyati Merchant i/b. MDP & Partners for Respondent No. 17 – Pankaj Tibrewal.

CORAM : A.K. MENON, J.

Judge, Special Court

Date : 17<sup>th</sup> DECEMBER, 2021

P.C.

1. The IRP has now filed an affidavit, albeit belatedly, in which he seeks to contend that the Custodian was required to file his claims and which had not been filed despite a reminder. The IRP has obviously overlooked the fact that certain properties have been attached prior to insolvency proceedings or winding up order passed by the Calcutta High Court. It appears that these aspects have not been pointed out to the NCLT.

2. Learned counsel for the IRP today states that all steps will be taken without fail before the next date of hearing to update the NCLT of the proceedings and the orders passed.
  
3. Accordingly list on 7<sup>th</sup> January, 2022 for hearing.

(A.K. MENON, J.)