

Date of application for the copy.	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery	Date of making over the copy to the applicant
13.6.19	19.6.19	13.6.19	24.6.19	24.6.19

**IN THE COURT OF THE SESSIONS JUDGE,**  
**CUTTACK.**

**2(C) C.C (COMP.) Case No. 14 of 2019.**

INSOLVENCY AND BANKRUPTCY BOARD OF INDIA,  
7<sup>th</sup> Floor, Mayur Bhawan, Sankar Market, Connaught Circus,  
New Delhi-110001, through Umesh Kumar Sharma,  
S/o. Sh. D. P. Sharma, aged about 58 years,  
Chief General Manager, 7<sup>th</sup> Floor Mayur Bhawan,  
Sankar Market, Connaught Circus, New Delhi-110001.

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**SHERISTADAR**

..... Complainant.

- : Versus : -

1. Liberty House Group Pvt. Ltd.,  
At:-8 Marine View, #40-06,  
Asia Square Tower-1, 018960, Singapore.
2. Mr. Sanjeeb Gupta,  
Founder & Executive Chairman,  
Liberty House Group Pvt. Ltd.,  
At:-Marine View, #40-06, Asia Square  
Tower-1, 018960, Singapore.
3. Mr. Rajib Bajaj, Executive Director (Asia),  
Liberty House Group Pvt. Ltd,  
At:-H2-D-204, Westend Heights,  
DLF Phase-5, Galleria DLF IV, Gurgaon,  
Haryana-122009.
4. Mr. Rahul Yenurkar,  
Executive Director-Steel, Liberty House  
Group Pvt. Ltd., At:-Office No.2205, Plot No.4 & 6,  
Cyber One Sector-30A, Vashi, Navi Mumbai-400705.



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Telex note  
order dt. 12.5.19 (5)

Mr. Soumava Chatterjee,  
Liberty House Group Pvt. Ltd.,  
Office No.2205, Plot No.4 & 6, Cyber One  
Sector-30A, Vashi, Navi Mumbai-400705.

..... Accused Persons.

Order, Dtd.03.04.2019.

A complain petition U/s.74(3), 236 and 235(A) of the Insolvency and Bankruptcy Code, 2016 is presented by Advocate Sri D. Das on behalf of INSOLVENCY AND BANKRUPTCY BOARD OF INDIA. Registered. Put up on 16.04.2019 with office note.

Dictated,

(Sd/- B. K. Mohapatra),  
Sessions Judge, Cuttack.

Order, Dtd.16.04.2019.

Adv. for the petitioner is present and files hazira. Office note not ready. Put up on 25.04.2019 with office note.

Dictated,

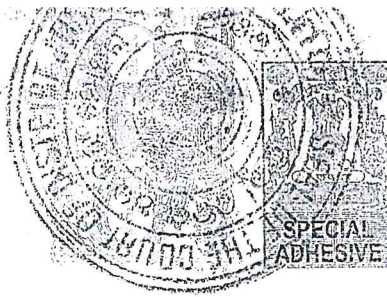
(Sd/- B. K. Mohapatra),  
Sessions Judge, Cuttack.

Order, Dtd.25.04.2019.

Adv. for the petitioner is present and files hazira. P.O. is on official duty. Office note not ready. Put up on 06.05.2019 with office note.

Dictated,

Sd/- illegible (I/c),



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Order, Dtd.06.05.2019.

Adv. for the petitioner is absent and take no steps. The local Bar passed a resolution. Office note not ready. P.O. is busy in other work assigned by the Hon'ble Court. Put up on 14.05.2019 with office note.

Dictated,

Sd/- illegible, (I/c),  
Sessions Judge, Cuttack.

Order, Dtd.14.05.2019.

Adv. for the petitioner is present & files hazira. Office note not ready. Put up on 17.05.2019 with office note.

Dictated,

(Sd/- B. K. Mohapatra),  
Sessions Judge, Cuttack.

Order, Dtd.17.05.2019.

Seen office note. Heard the Learned Counsel on question of cognizance. Put up on 18.05.2019 for order.

Dictated,

(Sd/- B. K. Mohapatra),  
Sessions Judge, Cuttack.

Order, Dtd.18.05.2019.

The Learned Counsel for the complainant has filed a memo to delete the name of the Accused No.5, cause title of the complaint. In view of the memo, the name of the Accused No.5 is deleted from the





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Order on the point of cognizance is not ready. Put up on 05.06.2019 for order. The P.O. avails the 1<sup>st</sup> half of the ensuing summer vacation.

Dictated,

(Sd/- B. K. Mohapatra),  
Sessions Judge, Cuttack.

Order, Dtd.06.06.2019.

5<sup>th</sup> June being a holiday, the case is put up today.

The Insolvency & Bankruptcy Board of India, New Delhi, for short, the "IBBI", established and constituted by the Central government as per the provisions of Sections-188 & 189 of the Insolvency and Bankruptcy code, 2016, for short the "IB code, 2016" has filed the present complaint U/s.236 of the said code against the Liberty House Group Pvt. Limited, Singapore, arraigned as Accused No.1 and its key managerial personnel arraigned as Accused Nos.2 to 4, seeking penal action against those accused persons U/s.74(3) and other provisions of the IB Code, 2016, for their having allegedly contravened the Resolution Plan which was against the Corporate Debtor namely, M/s.Adhunik Metalics Limited, having its registered office at Chadri Hariharpur, District-Sundargarh, Odisha. It may be mentioned here that the name of the Accused No.5 has been deleted from the complaint at the instance of the complainant vide the order dtd.18.05.2019.



C. No. - 2477/19  
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Perused the averments of the complaint as well as the photo copies of the relevant documents and papers annexed to the complaint. Also perused the copies of documents filed on 04.06.2019. Sri Umesh Kumar Sharma, Chief General Manager of the Complainant-Board (IBBI), has signed the complaint petition by virtue of the letter of authorization dtd.14.03.2019 issued by Executive Director, IBBI. It further appears that Mr. Debasnan Das, Learned Advocate, Cuttack, has been authorized U/s.236(3) of the IB Code, 2016, vide the Letter of Authorization dtd.25.03.2019 issued by Sri Umesh Kumar Sharma, the Chief General Manager of the Board to act as the Public Prosecutor before this Court for the purpose of the present case.

Keeping-in-view the provision U/s.236 (1) of the IB Code, 2016 coupled with the Gazettee Notification dtd.05.02.2018 of the Ministry of Corporate Affairs, Government of India, this Court assumes jurisdiction to try the present case.

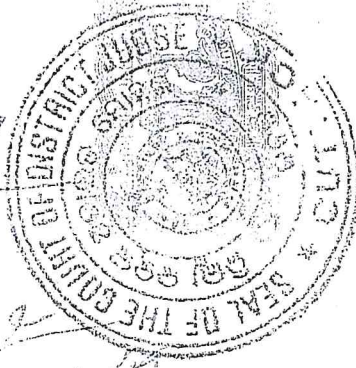
Heard. Mr. Debasnan Das, the Learned Counsel appearing for the Complainant Board. Having gone through the contents/averments of the complaint and the relevant documents filed including the Resolution Plan in question vide Annexure-B, I find a prima-facie case U/s.74(3) of the IB Code, 2016 to have been made out by the complainant to proceed against the accused persons.

52)

Case No. 650 out 19.

Total costs of Rs 10.10

Repeal fees & fees paid in 17




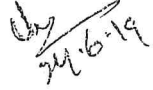
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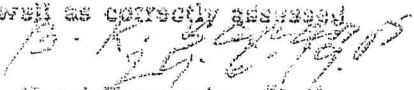
Hence cognizance is taken U/s.74(3) of the IB Code, 2016. The accused persons be summoned fixing 29.07.2019 for their appearance before this Court. Put up the case on the date so fixed.

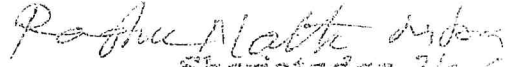
Dictated,

(Sd/- B. K. Mohapatra),  
Dtd.06.06.2019,  
Sessions Judge, Cuttack.

Computerized by : 

Compared by :   
24.6.19

Read over and found to be true copy. Stamp properly paid as well as correctly assessed.  
  
Head Comparison Clerk

CERTIFIED TO BE TRUE COPY  
  
Sheristadar, 24.6.19  
District Judge's Court, Cuttack  
Authorised U/S 76 Act I of 1979