

NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH

CORAM:
SHRI VINAY GOEL, HON'BLE MEMBER (JUDICIAL)
SHRI RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)

PETITION No./IA No.	IA(IBC)/256/KOB/2025 IN IA(IBC)/222/KOB/2023 in CP(IB)/05/KOB/2021
SECTION	RULE 32 NCLT
NAME OF PARTIES	MOHANKUMAR & ANOTHER V/S K PARAMESWARAN NAIR (RP) IN THE MATTER OF SAMSON AND SONS BUILDERS & DEVELOPERS PVT & 6 OTHERS. LTD
PETITIONERS ADVOCATE/ PROFESSIONAL	ARTIS LAW HOUSE
RESPONDENTS ADVOCATE/ PROFESSIONAL	HARIKUMAR G NAIR, AKHIL SURESH, ANU BALAKRISHNAN NAMBIAR, ATHUL M V, OMEGA ALLIANCE

15 JUNE 2026

O R D E R

IA(IBC)/256/KOB/2025 IN IA(IBC)/222/KOB/2023 in CP(IB)/05/KOB/2021

This application has been filed with the following reliefs: -

1. Allow the instant application and direct the 1st Respondent/RP to produce the following documents in his possession:
 - a. Information Memorandum of the Sanctuary Project.
 - b. Original Agreement for Sale and Construction (Cancelled) dated 16.10.2025 executed by the Respondent No.4/suspended Chairman/director of CD in favor of Applicant No. 1.
 - c. Agreement for Sale and Construction dated 25.11.2015 executed by Respondent No. 4/ Suspended Chairman for the "Samson & Sons, Nova Castle Apartment Project", Apartment No. 11-C (Type C on 11th Floor).
 - d. Agreement for Sale and Construction dated 22.02.2016 executed by Respondent No. 4/ Suspended Chairman and Respondent No. 2/ Suspended Director for the "Samson & Sons, Nova Castle Apartment Project" for Apartment No. 1C (Type C on 1st Floor).
 - e. Payment Receipt No. 1938 dated 20.12.2013 for booking of Apartment No. A1, Sanctuary 1st Floor issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).
 - f. Payment Receipt No. 1525 dated 22.04.2014 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).
 - g. Payment Receipt No. 137 dated 20.09.2014 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).
 - h. Payment Receipt No. 164 dated 04.10.2014 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).
 - i. Payment Receipt No. 258 dated 09.12.2014 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).

- j. *Payment Receipt No. 272 dated 17.12.2014 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).*
 - k. *Payment Receipt No. 319 dated 14.01.2015 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).*
 - l. *Payment Receipt No. 366 dated 17.02.2015 issued by Samson & Sons Builders and Developers Pvt. Ltd. (CD).*
2. *Pass such further orders as this Hon'ble Bench may deem fit and thus render justice.*

Learned Counsel, Mr. Bijoy Pulipra, appears on behalf of the Applicants through virtual mode. Learned Counsel, Mr. Akhil Suresh, appears for the RP/R1 through virtual mode. Learned Counsel, Mr. Rohan Kumar, appears on behalf of R2 & R5 through virtual mode. Ld Representing Counsel Mr. Ajith Kumar S appears on behalf of Learned Counsel Mr. Sankar Panicker for R3 and R7 through virtual mode. Ld. Counsel Mr. Sherry Samuel Oomen appears physically for R4. R6 has already been set ex-parte vide earlier order.

Counsel for the applicants submitted that, in view of the submission made by the Counsel for the RP in IA(IBC)/35/KOB/2025, he does not want to press this application. Accordingly, this application is **dismissed as not being pressed**.

IA(IBC)/35/KOB/2025 IN IA(IBC)/222/KOB/2023 in CP(IB)/05/KOB/2021

Learned Counsel, Mr. Bijoy Pulipra, appears virtually on behalf of the Applicants. Learned Counsel, Mr. Akhil Suresh, appears on behalf of R1/RP through virtual mode. Ld Representing Counsel Mr. Ajith Kumar S appears on behalf of Learned Counsel Mr. Sankar Panicker for R3 and R7 through virtual mode. Ld Counsel, Mr. Sherry Oommen, appears physically on behalf of R4. Learned Counsel, Mr. Rohan Kumar, appears on behalf of R2 & R5 through virtual mode. R6 has already been set ex-parte vide earlier order.

Both parties argued at length.

Ld. Counsel for R1 submitted that to ensure expeditious adjudication of the Section 66 application (IA(IBC)/222/KOB/2023), he has no objection if documents may

be taken on record subject to proof of execution, relevance, and admissibility in accordance with law. Ld. Counsel for R4 submitted that he is opposing the relief claimed in this application. Ld. Counsel for R2 & R5 submitted that he is supporting the arguments of Ld. Counsel for R4. Ld. Representing Counsel for R3 & R7 also submitted that he is also supporting the defence taken by Ld. Counsel for R4.

Heard both sides. Case is **reserved for orders**.

IA(IBC)/222/KOB/2023 in CP(IB)/05/KOB/2021

Learned Counsel, Mr. Akhil Suresh, appears for RP through virtual mode. Ld Representing Counsel Mr. Ajith Kumar S appears on behalf of Learned Counsel Mr. Sankar Panicker for R2 & R8 through virtual mode. Ld. Counsel, Mr. Sherry Samuel Oommen, appears on behalf of R3 through virtual mode. Learned Counsel Mr. Bijoy Pulipra appears on behalf of R4 & R5 through virtual mode. Learned Counsel, Mr. Rohan Kumar, appears on behalf of R1 & R6 through virtual mode. R7 has already been set *ex-parte* vide earlier order.

At request, Case is adjourned to **01.07.2026**.

IA(IBC)/(LIQ.)/8/KOB/2024 in CP(IB)/05/KOB/2021

Ld. Counsel, Mr. Vinod P V, appears virtually for RP.

At request, Case is adjourned to **01.07.2026**.

Sd/-
RAVICHANDRAN RAMASAMY
MEMBER (TECHNICAL)

Sd/-
VINAY GOEL
MEMBER (JUDICIAL)