

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH (COURT- I) CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING  
HELD ON **06.07.2026** THROUGH VIDEO CONFERENCE

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**CORAM:** HON'BLE SHRI SANJIV JAIN, MEMBER (JUDICIAL)  
HON'BLE SHRI VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

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**IN THE MATTER OF** : Larsen & Toubro Ltd  
Vs  
Hallmark Living Space Pvt Ltd

**MAIN PETITION NUMBER** : CP/577/IB/2017

**(IA/MA) APPLICATION NUMBERS**

IA(IBC)/1895(CHE)2025; IA(IBC)/805(CHE)/2026; IA(IBC)/765(CHE)/2026

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**ORDER**

**IA(IBC)/1895(CHE)2025**

Present: Mr. S.Satish, Ld. Counsel for the Liquidator.  
Mr. Sai Srujan Tayi and Ms. Pooja Jain, Senior Standing Counsel for the GST along with Mr. Srinivasa Rao, Superintendent, CGST, T.Nagar Division.

Ld. Counsel for the Respondent reiterated what was stated in reply to the application, he submits that there is no provision for refund as provided under Section 54 of CGST Act, 2017. It can be carried forward to claim inputs.

Ld. Counsel for the Liquidator submits that it is a case of unjust enrichment to the Department. There is a overriding provision under Section 238 of IBC, whereby the Tribunal can exercise the jurisdiction, giving directions to GST to release the payment in the liquidation account of the Corporate Debtor for further distribution to the Creditors.

**Parties are directed to file short submission of arguments, not exceeding two pages in a week's time.**

List the application for further hearing on **20.07.2026**.

**IA(IBC)/805(CHE)/2026**

Present: Mr. S.Satish, Ld. Counsel for the Liquidator.  
Mr. Vishnu Mohan, Ld. Counsel for R1 along with R1 and R2.

Ld. Counsel appearing for the Respondents submits that whatever the documents were in possession of R1 and R2 have already been handed over to the RP/Liquidator. Still R1 and R2 are willing to cooperate. There is a possibility that some of the documents might be in the office of the Corporate Debtor, of which the Liquidator has charge. R1 and R2 can assist the Liquidator in locating the documents.

Ld. Counsel for the Liquidator on instructions submits that Liquidator has no objection.

**We direct R1 and R2 to file reply point wise point, which shall be supported with an affidavit within a week.**

**We fix the date of 07.07.2026 at 12.00 Noon for visit of R1 and R2 to the office for locating the documents.**

Report be submitted thereafter.

List the application for hearing on **20.07.2026**.

**IA(IBC)/765(CHE)/2026**

Present: Mr. S.Satish, Ld. Counsel for the Liquidator.

Mr. Vishnu Mohan, Ld. Counsel for R1 along with R1.

This Application has been filed seeking the following reliefs:-

*“a) To order and direct that in the criminal proceeding CC No.2991/2024 before Hon'ble Additional Chief Metropolitan Magistrate, Egmore, Chennai M/s. Hallmark Living Space Private Limited (In Liquidation) should be only represented by Mr. C. Anand Jain, Suspended Managing Director of Company as rightly arrayed by the Complainant in terms of duty cast upon him under section 166 of the Companies Act 2013;*

*b) To permit the Applicant/Liquidator to file necessary petition in CC No.2991/2024 before the Hon'ble Additional Chief Metropolitan Magistrate, Egmore, Chennai under accused u/s 305 of Cr.P.C/ Corresponding Section 342(2) of BNSS, 2023 to make Mr. C. Anand Jain, Suspended Managing Director of Company as a proper person to*

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*represent M/s. Hallmark Living Space Private Limited in CC No.2991 of 2024 or any other necessary application and pursue the matter before the said Court or any appellate court and pursue the matter till its logical end;*

*c) To provide any other relief which may be found suitable to facilitate the Liquidator to discharge his functions effectively and pass such further orders or directions as may be deemed fit and proper in the facts and circumstances.*

Heard and perused.

In the criminal proceedings CC/2991/2024, the Company / Corporate Debtor and R1 are the parties / accused person(s). The proceedings are going on. Since the Company / Corporate Debtor is in CIRP and now in liquidation, it has to be represented by the Liquidator.

Ld. Counsel for R1 submits that R1 is still an accused and facing the criminal proceedings. He has informed the Court that the Company is in liquidation and now the Company is to be represented by the Liquidator. There is also an order from the Court of ACMM, Egmore dated 29.01.2026, inter-alia directing that the Company be represented by the Liquidator.

**Considering the above, we direct the Liquidator to represent the Company / Corporate Debtor in the legal proceedings as a representative appointed by this Tribunal.**

**IA(IBC)/765(CHE)/2026 is disposed of.**

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**[VENKATARAMAN SUBRAMANIAM]  
MEMBER (TECHNICAL)**

MS

**-sd-**

**[SANJIV JAIN]  
MEMBER (JUDICIAL)**

Date: 06.07.2026