

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH, COURT-I  
KOLKATA**

**I.A. (IBC) NO. 100/KB/2026**

**IN**

**C.P. (IB) NO. 43/KB/2022**

An Application under Section 60(5) of the Insolvency and Bankruptcy, Code,  
2016.

**IN THE MATTER OF:**

**IL & FS FINANCIAL SERVICES LIMITED**, a Company within the meaning of Companies Act, 2013, having its registered office at the IL & FS Financial Centre, 8<sup>th</sup> Floor, Plot C-22 G Block, Bandra Kurla Complex, Bandra (East), Mumbai-400021

**...Financial Creditor**

**Versus**

**ATTIVO ECONOMIC ZONE (MUMBAI) PRIVATE LIMITED**, a Company within the meaning of the Companies Act, 2013, having its registered office at IPCL Building, Plot No. X-1, 2 & 3 Block-EP, Sector-V, Salt Lake City, Kolkata-700091.

**...Corporate Debtor**

**And**

**IN THE MATTER OF:**

**BIMAL KANTI CHOUDHURY**, Interim Resolution Professional, having his office at 77A/50, Raja S. C. Mallick Road, 8, S. P. B. Block, Kolkata-700092.

**...Applicant**

**Versus**

- 1. GAIL (INDIA) LIMITED**, GAIL Bhavan, third floor, Sector 15, Plot No. 73, Road No. 03, C.B.D. Belapur, Navi Mumbai-400614.
- 2. DEPUTY COLLECTOR AND COMPETENCY AUTHORITY**, GAIL Bhavan, third floor, Sector 15, Plot No. 73, Road No. 03, C.B.D. Belapur, Navi Mumbai-400614.
- 3. THE GENERAL MANAGER (CONSTRUCTION)**, GAIL Bhavan, third floor, Sector 15, Plot No. 73, Road No. 03, C.B.D. Belapur, Navi Mumbai-400614.
- 4. THE SECRETARY, MINISTRY OF PETROLEUM & NATURAL GAS, GOVERNMENT OF INDIA**, Kartavya Bhavan-3, first floor, room no. 31104, New Delhi-110115.

**...Respondents**

**Date of Pronouncement: 12.06.2026**

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**CORAM:**

**SMT. BIDISHA BANERJEE, HON'BLE MEMBER (JUDICIAL)  
CMDE SIDDHARTH MISHRA, HON'BLE MEMBER (TECHNICAL)**

**APPEARANCE:**

Mr. Ratnanko Banerji, Sr. Adv.	] For the Applicant in
I.A. (I.B.C.) 365/KB/2026	
Mr. Rohit Das, Adv.	] And
Ms. K. Rahman, Adv.	] For the Respondent No. 1 in
	I.A. (I.B.C) 100/KB/2026
Mr. Vishesh Pandey, Adv.	]
Ms. Archana Sonthalia, Adv.	]
Mr. Joy Saha, Sr. Adv.	]
Mr. Aishwarya Kumar Awasthi, Adv.	]
Mr. Bimal Kanti Choudhury, RP	]

**ORDER**

**Per: Smt. Bidisha Banerjee, Member (Judicial):**

1. The Court convened through hybrid mode.
2. The learned counsels for the parties were heard at length.
3. The instant Application being **I.A. (IBC) NO. 100/KB/2026** is filed by **Mr. Bimal Kanti Choudhury** (hereinafter referred to as the Applicant), the Resolution Professional of IL & FS Financial Services Limited against **GAIL (India) Limited** (hereinafter referred to as the Respondent) and seeks the following reliefs:
  - a. *An order directing the respondents jointly and/or severally to forthwith furnish to the applicant /resolution professional of corporate debtor complete details and particulars with documentary proof of the properties of the corporate debtor allegedly acquired and/or proposed to be acquired under the*

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*Petroleum and Mineral Pipelines (Acquisition of Rights of User in Land) Act, 1962;*

- b.** *An order directing the respondents jointly and/or severally to forthwith furnish to the applicant /resolution professional of corporate debtor complete details and particulars with documentary proof of the alleged compensation paid for the properties of the corporate debtor allegedly acquired and/or proposed to be acquired under the Petroleum and Mineral Pipelines (Acquisition of Rights of User in Land) Act, 1962;*
- c.** *An order of injunction restraining the respondents and/or their men, servants, agents and/or assigns from in any manner whatsoever interfering with the possession, ownership, control and custody of the applicant /resolution professional of corporate debtor over the land parcels owned by the corporate debtor situated at Village - Shahabaz, Taluka - Alibaug, District - Raigad, Maharashtra.*
- d.** *An order of injunction restraining the respondents and/or their men, servants, agents and/or assigns from entering into the land parcels owned by the corporate debtor situated at Village Shahabaz, Taluka - Alibaug, District - Raigad, Maharashtra including lands under survey Nos. /Gut Nos. / ROU area 661, 667, 668 900, 901, 902, 912 and 916 within Village - Shahabaz, Taluka - Alibaug, District - Raigad, Maharashtra;*
- e.** *An order of stay on the operation of the notification dated 31st January 2024 till the completion of the Corporate Insolvency Resolution Process of the corporate debtor;*
- f.** *An order of stay on the operation of the notification dated 12th July 2023 till the completion of the Corporate Insolvency Resolution Process of the corporate debtor;*

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- g.** *An order of stay on the operation of the letters dated 28th March 2025 bearing reference number GAIL/SAPRA/Belapur/127/2025 issued by the respondents till the completion of the Corporate Insolvency Resolution Process of the corporate debtor;*
- h.** *An order of injunction restraining the respondents and/or their men, servants, agents and/or assigns from giving effect or further effect to the letters dated 28th March 2025 bearing reference number GAIL/SAPRA/Belapur/127/2025 issued by the respondents;*
- i.** *An order of injunction restraining the respondents and/or their men, servants, agents and/or assigns from giving effect or further effect to the Notification dated 31st January 2024;*
- j.** *An order of injunction restraining the respondents and/or their men, servants, agents and/or assigns from giving effect or further effect to the Notification dated 12th July 2023;*
- k.** *An order directing the local/administration/police authorities having jurisdiction over Village-Shahabaz, Taluka-Alibaug, District-Raigad, Maharashtra to restrain the respondents and/or their men, servants, agents and/or assigns from entering into the land parcels owned by the corporate debtor in Village - Shahabaz, Taluka - Alibaug, District - Raigad, Maharashtra including and not limited to survey Nos. /Gut Nos. / ROU area 661, 667, 668 900, 901, 902, 912 and 916 within Village - Shahabaz, Taluka - Alibaug, District - Raigad, Maharashtra;*
- l.** *An order declaring that the respondents have no right over the land parcels owned by the corporate debtor in Village - Shahabaz, Taluka - Alibaug, District - Raigad, Maharashtra including and not limited to survey Nos. /Gut Nos. / ROU area 661, 667, 668*

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*900, 901, 902, 912 and 916 within Village - Shahabaz, Taluka -  
Alibaug, District - Raigad, Maharashtra;*

- m.* *Such further or other order or orders be passed and/or direction or directions be given as this Hon'ble Tribunal may deem fit and proper.*
- 4.** This Tribunal had earlier passed an interim order on 22.01.2026, prohibiting the Respondents from acquiring the land of the Corporate Debtor, and if already acquired, from laying down pipelines on the land of the Corporate Debtor.
- 5.** Meanwhile, the Respondent in the present Application has filed an Application being **I.A. (IBC) No. 365/KB/2026**, wherein this Tribunal has permitted the Respondents to lay down pipelines in accordance with the PMP Act and Rules in national interest and has vacated the interim order dated 22.01.2026 passed in the present Application.
- 6.** Since the present Application arises out of the same facts and issues as in **I.A. (IBC) NO. 365/KB/2026**, this Tribunal is of the considered view that additional adjudication over the same facts and issues is unwarranted. Therefore, the Applying being **I.A. (IBC) NO. 100/KB/2026** in C.P. (IB) NO. 43/KB/2022 is **dismissed** as **infructuous**.
- 7.** The Registry is directed to send copies of the Order forthwith to all the parties and their representative for information and for taking necessary steps.

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- 8.** Certified Copies of this order may be issued, if applied for, upon compliance of all requisite formalities.

**Cmde Siddharth Mishra  
Member (Technical)**

**Smt. Bidisha Banerjee  
Member (Judicial)**

The Order signed on the **12<sup>th</sup>** day of **June** 2026.

*Anubhuti S. (LRA)*