

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT NO. I)
KOLKATA**

I.A.(IB) No. 954 of 2025
In
IA (IB) No.210 of 2025
In
C.P. (IB) No. 1231/KB/2019

*An application under Rule 11 of the National Company Law Tribunal Rules,
2016;*

In the matter of:

ALLAHABAD BANK (NOW INDIAN BANK)

...FINANCIAL CREDITOR

Versus

JHARKHAND MEGA FOOD PARK PRIVATE LIMITED

...CORPORATE DEBTOR

AND

PANKAJ KUMAR TIBREWAL, Liquidator of Jharkhand Mega Food Park
Private Limited.

...Applicant

Versus

BABA AGRO FOOD LIMITED

...Respondents

Date of pronouncement of order: 12.06.2026

CORAM:

SMT. BIDISHA BANERJEE, HON'BLE MEMBER (JUDICIAL)

CMDE SIDDHARTH MISHRA, HON'BLE MEMBER (TECHNICAL)

Appearances (via Video Conferencing/Physical):

Mr. Siddhanth Makkar, Adv.

] For the Liquidator

O R D E R

Per: Bidisha Banerjee, Member (Judicial)

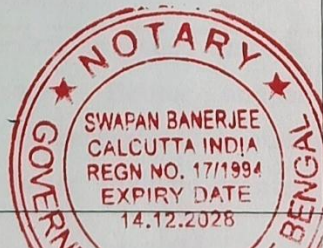
1. The Court congregated through a hybrid mode.
2. Ld. Counsels were heard.

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT NO. I)
KOLKATA**

I.A.(IB) No. 954 of 2025
In
IA (IB) No.210 of 2025
In
C.P. (IB) No. 1231/KB/2019

3. By way of this application the Liquidator of Jharkhand Mega Food Private Limited is seeking modification of the order dated 30th April, 2025.
4. This application is preferred on 16th June, 2025, the modification in the order dated 30th April, 2025 is sought for are as follows:

Sl. No. as per the NCLT Order	Reliefs as per the NCLT Order	The reliefs to be modified in line with our original application
11	Debtor or the affairs of the Corporate Debtor (other than against Promoters the Erstwhile former members of the management of the Corporate Debtor), pending or threatened, present or future in relation to any period prior to the Effective Date shall stand discharged and terminated.	<u>Point to be replaced by:</u> Direction be issued that on the Effective Date, all inquiries, investigation and proceedings (including in relation to or on account of Tax), whether civil or criminal, suits, claims, disputes, interests and damages in connection with the Corporate Debtor or the affairs of the Corporate Debtor, whether civil or criminal, suits, claims, disputes, interests and damages in connection with the Corporate Debtor or the affairs of the Corporate Debtor pending or



**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT NO. I)
KOLKATA**

I.A.(IB) No. 954 of 2025
In
IA (IB) No.210 of 2025
In
C.P. (IB) No. 1231/KB/2019


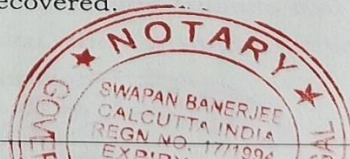
		threatened, present or future in relation to any period prior to the Effective Date or arising on account of sale of Corporate Debtor under liquidation as going concern, shall stand discharged and terminated.
27	Direction be issued to the Land Revenue Department or the Development Corporation that any prior period - Lease Rent, Khajna, Land Revenue, Taxes, etc., related to the Leasehold / Freehold Land of the Corporate Debtor situated at Plot No.1596, Road No.7, Mouza-Hinoo, Jaganathpur, Jharkhand Waived Off Hawaii Nagar, PS-Ranchi, - 834003, be Waived Off.	<u>Address to be updated:</u> Direction be issued to the Land Revenue Department or the Development Corporation that any prior period - Lease Rent, Khajna, Land Revenue, Taxes, etc., related to the Leasehold / Freehold Land of the Corporate Debtor situated at Jharkhand Mega Food Park, Getalsud Industrial Area, Getalsud, Sikidri Road, Jharkhand , be Waived Off.
28	Direction be issued to the Land Revenue Department or the Development Corporation that the Mutation Charges and other Ancillary Charges, related to the Leasehold/Freehold Land of the Corporate Debtor situated at Plot No.1596, Road No.7, Hawaii Nagar, Mouza-Hinoo, PS Jaganathpur, Jharkhand be Waived Off	<u>Address to be updated:</u> Direction be issued to the Land Revenue Department or the Development Corporation that the Mutation Charges and other Ancillary Charges, related to the Leasehold/Freehold Land of the Corporate Debtor situated at Jharkhand Mega Food Park, Getalsud Industrial Area, Getalsud, Sikidri Road, Jharkhand , be Waived Off.
	Direction be issued that the Corporate Debtor and/or the Successful Auction Purchaser shall be granted	<u>Few words were missing:</u> Direction be issued that the Corporate Debtor and/or the Successful Auction Purchaser shall

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT NO. I)
KOLKATA**

I.A.(IB) No. 954 of 2025
In
IA (IB) No.210 of 2025
In
C.P. (IB) No. 1231/KB/2019

	an exemption from all Taxes, levies, surcharges, cess, fees, transfer charges, transfer premiums, and surcharges that arise from or relate to implementation of Sale of Corporate Debtor as a going concern under Liquidation.	be granted an exemption from all Taxes, levies, surcharges, cess, fees, transfer charges, stamp duty, registration charges, transfer premiums, and surcharges that arise from or relate to implementation of Sale of Corporate Debtor as a going concern under Liquidation.
46	No disability in terms of Section 29A of the Code for any defaults made by the corporate subsidiaries debtor's subsidiaries.	<u>Extra word was removed:</u> No disability in terms of Section 29A of the Code for any defaults made by the corporate debtor's subsidiaries.
49	That all claims of the Corporate Debtor against third parties and its related parties outstanding shall remain due and recoverable in accordance with their respective terms. Further, the Corporate Debtor shall be the sole beneficiary of any amount recovered by the Corporate Debtor post acquisition, previously written off by the Corporate Debtor and the Corporate Debtor/ Successful Auction Purchaser shall have full right to recover/proceed against the party, whose account is recoverable in the books of Corporate Debtor as on the Effective Date and it shall be the sole beneficiary of the amount so	<u>Few words were interchanged:</u> That all claims of the Corporate Debtor against third parties and its related parties shall remain outstanding, due and recoverable in accordance with their respective terms. Further, the Corporate Debtor shall be the sole beneficiary of any amount recovered by the Corporate Debtor post-acquisition, previously written off by the Corporate Debtor and the Corporate Debtor/ Successful Auction Purchaser shall have full right to recover/proceed against the party, whose account is recoverable in the books of Corporate Debtor as on the Effective Date and it shall be the sole beneficiary of the amount so recovered.

Revised

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT NO. I)
KOLKATA**

I.A.(IB) No. 954 of 2025
In
IA (IB) No.210 of 2025
In
C.P. (IB) No. 1231/KB/2019

	recovered.	
52	Direction be issued that the assets not included in the sale process, as defined in the E-Auction Memorandum Information document, being proceeds if any out of the Application filed under Sections 43, 45, 49, 66 under IBC 2016 (preferential transaction, avoidance undervalued transactions creditors, of transaction, defrauding fraudulent transactions) shall not form of the E-Auction sale and proceeds if any shall be deposited in the Liquidation Account. Any cost legal or other as the case may be in regard to such application shall be payable out of Liquidation Account.	<u>Few words were interchanged:</u> Direction be issued that the assets not included in the sale process, as defined in the E-Auction Memorandum Information document, being proceeds if any out of the Application filed under Sections 43, 45, 49, 66 under IBC 2016 (preferential transaction, avoidance undervalued transactions, transactions defrauding creditors , fraudulent transactions) shall not form of the E-Auction sale and proceeds if any shall be deposited in the Liquidation Account. Any cost legal or other as the case may be in regard to such application shall be payable out of Liquidation Account.

5. Strangely enough although modifications have been sought for so that the successful auction purchaser being Baba Agro Food Limited, can run the Corporate Debtor in an efficient and competent manner, the said Baba Agro has been impleaded as respondent in the matter so that there is no opposition to the prayers sought for on its behalf.
6. It seems that while seeking reliefs and concessions for an effective going concern sale of the Corporate Debtor, the liquidator had missed out

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT NO. I)
KOLKATA**

I.A.(IB) No. 954 of 2025
In
IA (IB) No.210 of 2025
In
C.P. (IB) No. 1231/KB/2019

mentioning of the additional reliefs and concessions that are now attempted to be introduced in the final order dated 30th April, 2025 which were required but, had to be sought for while seeking reliefs and concessions earlier which stood already granted on 30th April, 2025. Further modification of the order sought for without any valid and cogent reasons, as an afterthought devising an ingenious way to include additional waivers and concessions which the liquidator forgot to seek earlier cannot be allowed now.

7. Further, it is also noted that the some of the additional reliefs sought for are already included in the order dated 30th April, 2025.
8. Accordingly, the prayers stands rejected and application stands **dismissed**.
9. Accordingly, I.A. (IB) No. 954/KB/2025 is **dismissed**.
10. The Registry is directed to send e-mail copies of the order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
11. Certified copy of the order may be issued, if applied for, upon compliance of all requisite formalities.

Siddharth Mishra
Member (Technical)

Bidisha Banerjee
Member (Judicial)

Signed on this, the 12th June, 2026.

S.G. (Steno)