

DIVISION BENCH

ITEM NO.107

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

IA No.213/2026 IN CP (IB) No.04/ALD/2025

CORAM:

- 1. SH. PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SH. ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 12th May, 2026

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	GEE EMM STEEL INDUSTRIES INDIA PVT. LTD. V/S SAXENA MARINE-TECH PVT. LTD.
UNDER SECTION	9 IBC

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Ankit Sharma with Ms. Preeti Kashyap : *For the Operational Creditor*
& Sh. Rakesh Kumar, Adv.

Sh. Yash Tandon, Adv.

: *For the Corporate Debtor*

ORDER

IA No.213/2026

- 1.** This application has been filed for recalling of the order dated 16.07.2025 *vide* which right to file reply by the Respondent/ Corporate Debtor was struck off.
- 2.** Ld. Counsel representing the Applicant/ Corporate Debtor submits that by virtue of the aforesaid order dated 16.07.2025, it was observed that the Corporate Debtor was granted last opportunity to file the reply within a period of two weeks by serving an advance copy to the other side, failing which, the right to file reply shall stand struck off.
- 3.** He therefore submits that though the right to file reply stood struck off, however he is the incoming counsel for the Corporate Debtor and due to the reason that the reply could not be filed at earlier point of time and in the interest of natural justice, the Corporate Debtor wishes to file the reply

-Sd-

-Sd-

and contest the matter on merit. He therefore also refers to the order dated 25.02.2026 *vide* para no.4, whereby the following observations have been made :-

4. *In view of the principles of natural justice, though we are aware that the right to file reply was already struck off and while we consider the objections being raised by the Ld. Counsel representing the Operational Creditor also, however in the larger interest of the natural justice and for proper adjudication of the matter, we deem it appropriate to grant one last opportunity to the Ld. Counsel representing the Corporate Debtor to ensure that the application filed by the respondent/ corporate debtor comes up on record.*
4. Ld. Counsel representing the Applicant therefore submits that the aforesaid order dated 16.07.2025 may be recalled. He also further submits that in order to prove his bonafide with the present application for recalling of the order dated 16.07.2025, the reply on behalf of the Corporate Debtor has also been enclosed. He also further makes a statement that the copy in advance of the present application along with the reply thereto has also been supplied to the other side.
5. The Ld. Counsel representing the non-applicant/ respondent/ operational creditor states that he is in the receipt of the copy of the application.
6. Let notice of the present application be issued to the non-applicant/ respondent/ operational creditor.
7. Ld. Counsel representing the non-applicant/ respondent/ operational creditor accepts notice and submits that he would also require to file the rejoinder to the said reply being filed by the Corporate Debtor now with the application.
8. In view of the averments made in the application *vide* para nos.3 to 7 and after issuance of the notice to the other side and after hearing the same, we deem it appropriate to allow the present application and recall the order dated 16.07.2025 for taking on record the reply filed by the Corporate Debtor in the larger interest of natural justice.

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9. Keeping in view of the fact that filing of the reply by the Corporate Debtor has taken some time, which has now been allowed as per the order passed *hereinabove*, the Ld. Counsel representing the non-applicant/ respondent/ operational creditor seeks only a short accommodation of one week time to file the rejoinder to the reply.
10. As prayed for, let the rejoinder be filed within the aforesaid stipulated period of one week by serving an advance copy to the other side.
11. The reply attached with the aforesaid application is taken on record and IA No.213/2026 stands disposed off accordingly.
12. Let the main matter be adjourned for hearing on 3rd June, 2026, to come up higher on Board.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

12th May, 2026

Kavya Prakash Srivastava
(Stenographer)