

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI

(APPELLATE JURISDICTION)

Company Appeal (AT) (CH) (Ins) No.58/2022
(IA Nos. 116, 118 & 566/2022)

In the matter of:

Ashique Ponnamparambath
Suspended Director,
Platino Classic Motors Pvt Ltd.

... Appellant

V

BMW India Pvt. Ltd. & Anr.

...Respondents

Present :

For Appellant : No Appearance

For Respondents : Mr. Shreyas Edupuganti, Advocate for R1

ORDER
(Hybrid Mode)

23.06.2026:

In the instant Company Appeal, the Appellant who happens to be the Suspended Director of M/s. Platino Classic Motors (India) Pvt Ltd., questions the impugned order of 18.11.2021, as it has been passed by the Learned Adjudicating Authority Kochi Bench, Kerala in IA(IBC)/100(KOB)/2021 in IBA/25/KOB/2020. The consequential effect of passing of the impugned order had been that, owing to the appointment of new IRP, the Learned Tribunal has directed the Appellant herein to place his claim before the new IRP, and has disposed IA(IBC)/100(KOB)/2021 accordingly.

The order sheet of the instant Appeal reflects that, on most of the occasions, the Appellant has not been appearing and participating in the proceedings to assist this Tribunal, to decide the matter effectively.

Owing to the aforesaid reason, this Tribunal was constrained to pass an order on 11.09.2025, after recording the statement of the erstwhile Counsel on record, who submitted that she has got no instructions, directing the Registry of this Tribunal to issue fresh notice. In compliance to the order passed on 11.09.2025, the registry has issued notices through registered post and through E-mail dated 24.10.2025.

Till date, there is no response by the Appellant and in that eventuality, it apparently reflects that the Appellant is not interested to pursue the instant instant Company Appeal at all. Hence, the Company Appeal would stand "dismissed", due to lack of diligence on part of the Appellant in participating in the proceedings. All pending Interlocutory Applications would stand closed.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

YS/MS/AK