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26/10/18

BEFORE THE ADJUDICATING AUTHORITY
(NATIONAL COMPANY LAW TRIBUNAL)
AHMEDABAD BENCH
AHMEDABAD

IA 291/2018 in C.P. (I.B) No. 66/NCLT/AHM/2017

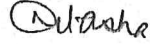
Coram: Hon'ble Mr. HARIHAR PRAKASH CHATURVEDI, MEMBER JUDICIAL
Hon'ble Ms. MANORAMA KUMARI, MEMBER JUDICIAL

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 25.10.2018

Name of the Company: Shri Ramchandra D. Choudhary
V/s.
Anil Ltd.

Section of the Companies Act: Section 33(1), 33(2) & 34(1) of the Insolvency and
Bankruptcy Code

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
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1.	NATASHA DHIRUMAN SHAH	ADV.	APPLICANT	
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2.

ORDER

Advocate Ms. Natasha D Shah is present for the Applicant.

The instant application is filed on behalf of the resolution professional under section 33(1), 33(2) and 34(1) with prayer to pass an order for the liquidation of the Corporate Debtor Company i.e. Anil Limited, having its registered office at Anil Starch Premises, Anil Road, Ahmedabad.

This authority on the basis of petition filed by the M/s Reliance Commercial Finance Ltd. being financial creditor/applicant, under section 7 of the Code, commenced the CIRP by appointing IRP.

The COC in its third meeting held on 25.07.2018 resolved that since the company has not received any resolution plan, therefore, the member of COC decided to recommend for liquidation of the corporate debtor and accordingly decided to







commence e-voting on liquidation process from 30.07.2018, 4:00 PM ended on 31.07.2018, 4:00 PM and passed a resolution to go for the liquidation. It was further resolved to keep continue the resolution professional Mr. Ramchandra Dallaram Choudhary as a liquidator. The minutes of the meeting of the COC dated 25.07.2018 is annexed at Page no. 185 of the application.

It is also submitted that the resolution for liquidation was put for E-voting from 30.07.2018, 4:00 PM ended on 31.07.2018, 4:00 PM, which was approved by majority of 80.89% in favour of the liquidation of the corporate debtor. The copy of the said E-voting held on 30.07.2018 to 31.07.2018 is annexed along with the application as annexure-5 at page no. 198 onwards.

Heard the petitioner and perused the petition along with the documents annexed therewith and the ground for liquidation as mentioned at page no. 11-14. In view of the above, this adjudicating authority is of the considered view that the liquidation order may be passed in respect of corporate debtor namely Mr. Anil Limited, since there is 80.89% of voting of the member of the COC favouring liquidation process.


Under such facts and circumstances, it is hereby directed that the liquidator shall issue a public announcement stating that corporate debtor is in liquidation.

This Adjudicating Authority hereby appoint the **resolution professional** as '**Liquidator**' under section 34(1) of the Code. The Liquidator shall send an intimation to the Registrar of Companies with which the Corporate Debtor is registered.

The liquidator shall act as per section 35 of Insolvency and Bankruptcy Code, 2016, subject to directions of this Authority.

This application is disposed of accordingly.


MANORAMA KUMARI
MEMBER JUDICIAL


HARIHAR PRAKASH CHATURVEDI
MEMBER JUDICIAL

Dated this the 25th day of October, 2018

