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

IA 207 of 2019 in C.P. (I.B) No. 378/NCLT/AHM/2018

Coram: **Hon'ble Ms. MANORAMA KUMARI, MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 31.05.2019**

Name of the Company: Shri Tejas Shah RP of Tanisa Denim Pvt. Ltd.
V/s.
Tanisa Denim Pvt. Ltd. & Anr.

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.	ATUL SHARMA	A dr.	Petitioner	
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2.

ORDER

The applicant is represented through learned counsel.

The Order is pronounced in the open court, vide separate sheet.


**MANORAMA KUMARI
MEMBER JUDICIAL**

Dated this the 31st day of May, 2019

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

IA No. 207 of 2019
in
C.P.(IB) No. 378/NCLT/AHM/2018

In the matter of:

Shri Tejas Shah,
Resolution Professional (RP) of
M/s. Tanisa Denim Pvt. Ltd.
U-18, Jeevandeep Complex,
Nr. Nirmal Hospital, Ring Road,
Surat, Gujarat-395002

.....Applicant

Versus

M/s. Tanisa Denim Pvt. Ltd.
U-18, Jeevandeep Complex,
Nr. Nirmal Hospital, Ring Road,
Surat, Gujarat-395002

.....Respondent

Order delivered on 31st May, 2019

Coram: Hon'ble Ms. Manorama Kumari, Member (J)

Appearance: Advocate Mr. Atul Sharma is present for the Applicant.

ORDER

[Per: Ms. Manorama Kumari, Member (Judicial)]

This application is filed by the Resolution Professional, through his Advocate seeking order of the liquidation under Section 33(1), 33(2) and 34(1) of the IBC.

This Authority, vide order dated 15.11.2018 on the basis of petition filed by Bank of India, (hereinafter referred to as the Financial Creditor) under Section 7 of the IBC, commenced the CIRP by appointing IRP.

CoC in its 3rd meeting held on 07.03.2019 resolved to close the process of CIRP and instructed the RP to file application for initiation of liquidation before this Adjudicating Authority, since none came up with an EOI and no EOI was

(Signature)

received from any prospective resolution applicant in view of the fact that Corporate Debtor is a closed unit for the last 4 years.

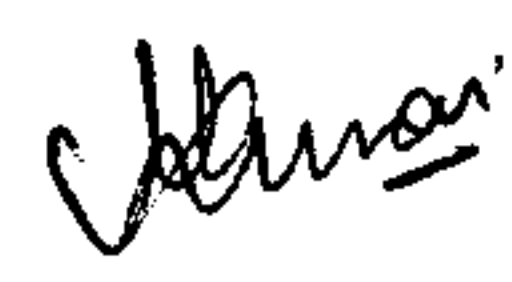
Accordingly, the instant application is filed under Section 33(2) of the IBC by RP vide resolution dated 07.03.2019. The CoC further resolved that Resolution Professional Shri Tejas Shah shall act as a Liquidator for the purpose of liquidation unless replaced by this Adjudicating Authority. The said fact is reflected in the minutes of the CoC meeting held on 07.03.2019 at Item No. B-5 at Page 149 annexed with IA 207 of 2019 in CP(IB) No. 378 of 2018.

On perusal of the records, it is found that CIRP has closed on 13.05.2019. The instant application is filed on 20.03.2019. Considering all the above said facts and the documents annexed with the application, this Adjudicating Authority is of the considered view to pass an order for liquidation in respect of the Corporate Debtor viz. M/s. Tanisa Denim Pvt. Ltd. and direct the Liquidator to issue a public announcement stating that the Corporate Debtor is in liquidation.

This Adjudicating Authority hereby appoints the **“Resolution Professional as Liquidator”** under Section 34(1) of the IBC. 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 the Insolvency and Bankruptcy Code, 2016 (hereinafter referred as “IBC”) subject to directions of this Adjudicating Authority.

This application is disposed of accordingly.


Ms. Manorama Kumari
Adjudicating Authority
Member (Judicial)