

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

**IA 174/2019 in C.P. (I.B) No. 81 /NCLT/AHM/2018
C.P. (I.B) No. 116 /NCLT/AHM/2018**

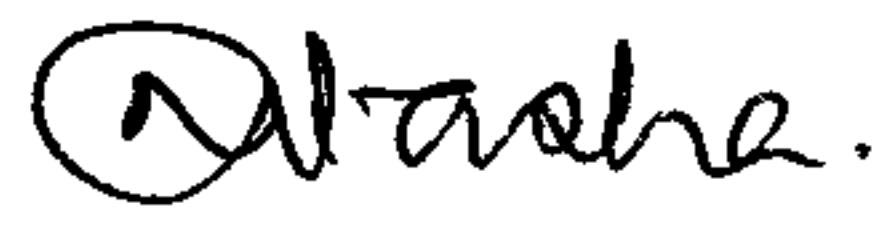
Coram: **Hon'ble Ms. MANORAMA KUMARI, MEMBER JUDICIAL**
Hon'ble Mr. CHOCKALINGAM THIRUNAVUKKARASU, MEMBER TECHNICAL

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 02.08.2019**

Name of the Company: Parthiv Parikh RP for Anil Life Science Ltd.
V/s.
COC of Anil Life Science Ltd. & Ors.

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.	NATASNA BHUMAN SHAN	ADV.	APPLICANT	
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2.

ORDER

The Applicant is represented through learned counsel.

The instant application is filed under section 33(1), 33(2), 34(1) of the IB Code.

On filing of the application the notice was issued to the Suspended Management on 03.04.2019 as well as on 02.05.2019.

On receipt of the notice the Suspended Management appeared on 26.06.2019 through Learned Lawyer namely Mr. Arjun Sheth, who undertook to file Vakalatnama and requested time to file reply. Accordingly, two weeks' time was granted, but as on today no reply is filed by the Suspended Management.

The Learned Lawyer Mr. Arjun Sheth submitted that he has no instruction from the side of Suspended Management, hence, could not able to file reply or representation, if any, and submitted that an appropriate order may be passed.

Heard the Learned Lawyer for the Applicant/RP on behalf of the Committee of Creditors. Perused the pleading and documents annexed therein.

This Adjudicating Authority on the basis of petition filed by the Operational Creditors namely Mr Ritesh K.V.K Suchak and M/s Ashish Rice Mill under section 9 of the IB Code, commenced the CIRP on 12.09.2018 upon M/s Anil Life Sciences Limited by appointing IRP.

On appointment of IRP, the IRP made public announcement on 06.10.2018 by publishing in the newspaper i.e "DNA" and "Jai Hind" Ahmedabad edition where registered office of the Company is situated and also in "Economic Times" and "Pradesh Today" in MP Edition which is the principal place of Corporate Debtor. Thereafter, in the 2nd meeting dated 10.12.2018, the COC resolved to invite EOI in Form G on 14.12.2018 by publishing in newspaper. Since, no response is/are received after publication of EOI, the COC in its 3rd meeting held on 23.01.2019 resolved to close the process of CIRP and instructed the RP to file application for initiation of liquidation proceeding before the adjudicating authority as also the CIRP period of 180 days is already expired.

Accordingly, the instant application is filed under section 33(1), 33(2), 34(1) of the IB Code by RP. The COC further resolved in its 4th meeting dated 04.02.2019 that Resolution Professional namely Mr. Parthiv Parikh will act as liquidator for the purposes of liquidation unless replaced by the adjudicating authority. The said fact is reflected in the minutes of meeting dated 04.02.2019 at page no. 105. The COC favoured the liquidation of the Corporate Debtor Company by 100% voting as reflected at page no. 97 of the application.

On perusal of the record it is found that the CIRP is expired on 11.03.2019 and the instant application is filed on 27.02.2019. Considering all the above said facts and the documents annexed therein with application, this Adjudicating Authority is of the considered view to pass an order for liquidation in respect of the Corporate Debtor namely M/s Anil Life Sciences Limited and directed the liquidator to issue a public announcement stating that the 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 where 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.

Accordingly, the IA 174/2019 stands disposed of.



CHOCKALINGAM THIRUNAVUKKARASU
MEMBER TECHNICAL

Dated this the 2nd day of August, 2019



MANORAMA KUMARI
MEMBER JUDICIAL