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

**IA 347/2017 in C.P. (L.B) No. 53/7/NCLT/AHM/2017**


Coram: **Hon'ble Mr. BIKKI RAVEENDRA BABU, 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 03.11.2017**

Name of the Company: Sundaresh Bhat IRP  
V/s.  
ABG shipyard Ltd.& Ors.

Section of the Companies Act: Section 19(2) of the Insolvency and Bankruptcy  
Code

**S.NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE**

1. Jaimin R. Dave Advocate Petitioner 

2.

**ORDER**

Learned Advocate Mr. Jaimin Dave present for Applicant. None present for Respondent in IA 347/2017.

Additional affidavit filed by RP/ Applicant.

Heard arguments of learned counsel for applicant.

Learned counsel appearing for applicant stated finance department and general administration of corporate debtor are not co-operating with the applicant.

Hence the finance department and general administration are directed to extend full co-operation by providing required information including financial details of the corporate debtor.

The prayer para 15(a) in the application is <sup>to</sup> condoned delay in filing the details of the liquidation value of the corporate debtor and the liquidation value due to the operational creditors. The reasons stated is non availability of required information on account of non co-operation of the finance department and general administration department.

Regulation 36 (1)(b) of IB (Insolvency Resolution) Regulations, 2016 says that RP shall submit the information of memorandum in electronic form to each member of the committee in respect of liquidation value of the corporate debtor and liquidation value due to operational creditor within 14 days from the date of 1<sup>st</sup> meeting of COC.

It is stated in the 1<sup>st</sup> meeting of COC held on 04.09.2017.

This application is filed on 16.10.2017 beyond 14 days' period provided in regulation 36(1)(b) of IB (Insolvency Resolution) Regulations, 2016.

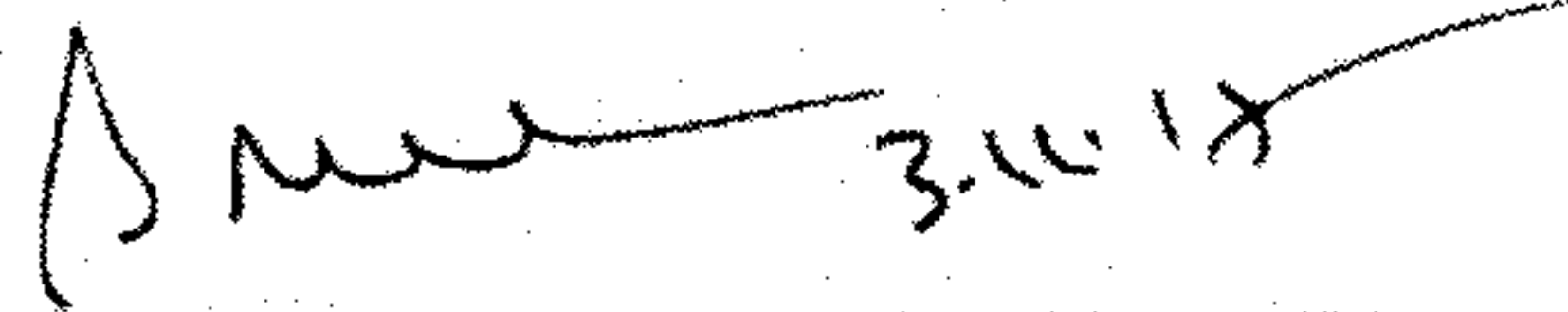
Hence, this adjudicating authority is of the view that there is no reason to condone the delay more so when there is no provision either in the code or rules or regulations that enables the adjudicating authority to condone the delay.

However, the effect of delay in filing the liquidation value of the corporate debtor and the liquidation value of the operational creditors and its effect can be considered by this Tribunal at the time when the resolution plan, if any, is placed before this Authority.

Application is disposed of accordingly.



**MANORAMA KUMARI**  
**MEMBER JUDICIAL**



**BIKKI RAVEENDRA BABU**  
**MEMBER JUDICIAL**

Dated this the 3rd day of November, 2017.