

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - 1**

ITEM No.106 – IA/380(AHM)2023  
ITEM No.107 – IA/178(AHM)2023  
ITEM No.108 – IA/278(AHM)2023  
ITEM No.109 – IA/310(AHM)2023  
ITEM No.110 – IA/382(AHM)2023  
In  
**CP(IB) 83 of 2020**

**Proceedings under Section 7 IBC**

**IN THE MATTER OF:**

Union Bank of India

.....Applicant

V/s

Doshion Water Umbrella (Cuddalore) Pvt Ltd

.....Respondent

**Order delivered on: 07/08/2023**

**Coram:**

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Kaushalendra Kumar Singh, Hon'ble Member(T)

**PRESENT:**

For the Applicant

: Mr. Ravi Pahwa, Adv.

For the CoC

: Mr. Nipun Singhvi, Adv.

For the SM

: Mr. Arpit Singhvi, Adv.

**ORDER**

**IA 380 of 2023**

This is the application filed by the RP seeking liquidation order under Section 33(1) of the IBC, 2016.

We heard the Ld. Counsel Mr. Ravi Pahwa appearing for the RP and the Ld. Counsel Mr. Nipun Singhvi appearing for the CoC.

Ld. Counsel for the RP has pointed out the various resolutions as required under the Regulation 39B, 39C, 39D and 39BA etc. In the context, the Ld. Counsel for the CoC undertakes to file an affidavit to the effect that if the liquidation cost is less than the liquid asset, the balance shall be borne by the sole CoC member i.e., Union Bank of India.

At this stage, the counsel for Suspended Management namely Mr. Arpit Singhvi appears and submits that he would like to file by way of an affidavit information regarding available GST credit. In the context, it is noted that this information by the

Suspended Management could have been placed before the RP during the CIRP process and if not done, the same may be done even now either before the RP or the liquidator in the event of liquidation order is made in the matter.

Ld. Counsel for the CoC may file an affidavit in the course of the day as regards to why the decision was taken not to liquidate the asset as a going concern.

With this, the order is reserved.

**IA 178 of 2023, IA 278 of 2023 & IA 310 of 2023**

List the matters on 04.10.2023.

**IA 382 of 2023**

This is the application filed by the RP to place on record the 8<sup>th</sup> CoC meeting.

We heard the Ld. Counsel Mr. Ravi Pahwa.

The minutes is taken on record with just exceptions.

With this, the application is disposed off.

-SD-

**KAUSHALENDRA KUMAR SINGH  
MEMBER (TECHNICAL)**

-SD-

**SHAMMI KHAN  
MEMBER (JUDICIAL)**

Anuj