

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL
COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 03-05-2024 AT
10.30 A.M. THROUGH VIDEO CONFERENCING:**

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : IA(IBC)/1804(CHE)2023

PETITION NUMBER : IBA/1075/2019

**NAME OF THE PETITIONER : B Ramana Kumar, (Liquidator)
M/s. Krishnaa Energy Pvt Ltd**

NAME OF THE RESPONDENT(S) : The Assistant Commissioner (State Tax)

UNDER SECTION : Sec 60(5)(c) of IBC, 2016

ORDER

Mr. Gajendran Ravi, Ld. Counsel for the Applicant.

Mr. Vijay, Ld. Counsel for the Respondent.

Mr. Ramana Kumar, Liquidator in person.

Respondent has not filed Reply as well as Vakalat since 12.10.2023 and therefore Respondent is set as ex-parte during the earlier hearing. Final opportunity was given on 22.03.2024 to file Reply within two weeks and they have not filed any Reply till date citing technical difficulty. No further opportunity and the Respondent is set as ex-parte.

Case heard. In this case the department has filed a claim on 14.03.2023 for the Liquidator which was 14 months from the date of liquidation. The Liquidation process has been completed in 2022 itself. Therefore, the Assistant Commissioner Sales Tax has no right to hold on to the assets of the liquidation

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estate. We find that there is no merit in the attachment made on the assets on the CD situated at 184/2 ,SIDCO Industrial Estate, Thirumudivakkam, Chennai –44. Therefore, Assistant Commissioner State GST, Thirumudivakkam Assessment Circle Nandanam, Chennai is directed to release the attachment within a week from the date of this order.

Registry is directed to ensure service of this order for compliance.

Case is **disposed of as being allowed.**

-SD-

RAVICHANDRAN RAMASAMY
Member (Technical)

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-SD-

JYOTI KUMAR TRIPATHI
Member (Judicial)