

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III**

Item No. 105

New Resolution Plan-14/2024

In

IB-133(ND)/2023

IN THE MATTER OF:

M/s. Saivi Finance Pvt Ltd

Vs

Fusion Conbuild Pvt Ltd.

.....APPLICANT/PETITIONER

.....RESPONDENT

SECTION

U/s 7 of IBC, 2016

Order delivered on 23.04.2024

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI ATUL CHATURVEDI, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant :

For the Respondent :

HYBRID HEARING (PHYSICAL & VC)

ORDER

New Resolution Plan-14/2024:-

This application has been filed under Section 30(6) seeking approval of the Resolution Plan.

It is stated that the Plan has been approved by the CoC by 100% votes. The Resolution Professional is directed to submit the following check list within ten days:-

Synopsis / Checklist for Resolution Plan under Section 30(6) and 31 of IBC,

2016

S. No.	Description	Details
1	Name of the Successful Resolution Applicant (SRA) and Nature and business of SRA?	
2	Whether SRA is a related party of the Corporate Debtor	
3	Business of the Corporate Debtor	

4	Resolution Plan Value	
5	Fair Value	
6	Liquidation Value	
7	Date on which Resolution Plan approved by CoC.	
8	Voting percentage (%) of CoC in favour of Resolution Plan	
9	<p>Date of issuance of Expression of Interest <i>(in case of multiple issuance of EoI, please specify)</i></p> <p>Last date for submission of Resolution Plan.</p> <p>Date on which the Resolution Plan was submitted by the SRA to the RP</p>	
7	Whether Corporate Debtor is an MSME, if so when the status of MSME was obtained and whether SRA is eligible to submit a Resolution Plan under Section 240A of IBC, 2016	
10	Affidavit filed by SRA under Section 29A of IBC, 2016.	
11	Due Diligence Certificate of the RP under Section 29A of IBC, 2016 for the SRA	
12	Amount of Performance Guarantee furnished by SRA and its validity	
13	Source of Funds <i>(in brief)</i>	

14	Capital Restructuring and Management of Corporate Debtor post approval of Resolution Plan <i>(in brief)</i>	
15	Term and Implementation of Plan <i>(in brief)</i>	
16	Details of Monitoring Committee	
17	Details of Payments to Dissenting Financial Creditors, if any.	
18	Status of Preferential, Undervalued, Fraudulent and Extortionate (PUFE) transactions and how dealt with in the Resolution Plan, if any	
19	If the Resolution Plan submitted by Suspended Director / promoter of Corporate Debtor, any PUFE Applications against the suspended Directors are pending, if so the details of the same.	
20	Details of Form – H	
21	Whether the dues of the PF are being paid in full as per the Judgment of Hon'ble NCLAT in <i>Jet Aircraft Maintenance Engineers Welfare Association – Vs- RP of Jet Airways Limited; (Com. Appeal (AT)(Ins)No.752 of 2021)</i>	
22	Whether any relief is sought in the Resolution Plan for carry forward and set off of losses as per Section 79(2)(c) of Income Tax Act, 1961.	

23	If the Resolution Plan value is more than Liquidation value, then a fee of 0.25% is required to be paid to IBBI as per Regulation 31A of IBBI (CIRP) Regulations, 2016 (<i>amended on 20.09.2022</i>) and an Affidavit to the said effect has to be filed by the RP.	
24	Details of other IA's pending against the Corporate Debtor.	

List the matter on **14.05.2024**.

Sd/-

(ATUL CHATURVEDI)
MEMBER (TECHNICAL)

Sd/-

(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)