

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH, BENGALURU**
[Through Physical hearing/VC Mode (Hybrid)]

ITEM No.13
I.A.Nos.398, 767, 768,
778/2023, 04 & 87/2024 in
C.P.(IB)No.36/BB/2022

IN THE MATTER OF:

Shri Arihant Credit Souhard Sahakari Ltd. ... Petitioner
Vs.
M/s. Soubhagya Laxmi Sugars Ltd. ... Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016

Order delivered on: 19.04.2024

CORAM:

SH. K. BISWAL
HON'BLE MEMBER (JUDICIAL)

SH. MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP : Ms. Maitreyi Bhat with Ms. Shirley Mathew, RP
For I.A.04/2024 : Shri Saravana, Adv., for Applicant
For I.A.87/2024 : Shri Sandeep Huilgol, Adv., for Applicant

ORDER

I.A.No.398/2023:

1. Heard the Ld. Counsel appearing for the Applicant and the RP.
2. In compliance to Order dated 15.02.2024, Ld. Counsel for the RP has filed a memo vide Diary No.1658 dated 13.03.2024. Consequent to the modification made in the Resolution Plan as mentioned in the para b & c of the Order dated 15.02.2024, Ld. Counsel for the RP is directed to file a revised Resolution Plan approved by the CoC. This shall be done within two weeks from today.
3. List the case for hearing on **24.05.2024**.

I.A.No.778/2023:

1. This Application has been filed by Ms. Shirley Mathew, Resolution Professional of Corporate Debtor (Applicant), U/s. 19 (2) R/w. Sections 23 (1), 25 (2) (A), 60 (5) of the IBC, 2016 R/w. Rule 11 of NCLT Rules, 2016, seeking to direct the Respondents to assist and cooperate with the Resolution

:2:

Professional by handing over the documents of the Corporate Debtor pertaining to the Financial Year 2019-20, 2020-21, 2021-22 and Provisional financial statements up to the date of commencement of CIRP i.e. 07.04.2022 including other relevant information to the Applicant-RP.

2. Heard the Ld. Counsel appearing for the RP-Applicant. None appeared for the Respondent.
3. It is noticed that in the instant case notice was issued on 22.11.2023 and subsequently it was listed on 04.01.2024, 21.02.2024, 13.03.2024 and today. However, in spite of duly serving the notice, no one appeared on behalf of the Respondent nor any objection has been filed till date.
4. In the circumstances and for the reasons mentioned in the Application, the instant Application is allowed by directing the Respondents to co-operate with the Resolution Professional by handing over the documents of the Corporate Debtor demanded for the Financial Year 2019-20, 2020-21, 2021-22 as prayed for.
5. Accordingly, **I.A.No.778/2023 stands disposed of.**

I.A.No.04/2024:

Heard the Ld. Counsels appearing for the Applicant and the Respondent.

Pleadings are complete. List the case on **24.05.2024**.

I.A.No.87/2024:

Heard the Ld. Counsels appearing for the Applicant and the Respondent.

Pleadings are complete. List the case with other IAs on **24.05.2024**.

**-Sd-
MANOJ KUMAR DUBEY
MEMBER (TECHNICAL)**

**-Sd-
K. BISWAL
MEMBER (JUDICIAL)**

Shruthi