

NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH

**CORAM: SHRI P. MOHAN RAJ, HON'BLE MEMBER (JUDICIAL)
SHRI SATYA RANJAN PRASAD, HON'BLE MEMBER (TECHNICAL)**

PETITION No./IA No.	IA(C/ACT)/169/KOB/2022 in CA(CAA)/03/KOB/2022
SECTION	NCLT RULE 11
NAME OF PARTIES	OFFICIAL LIQUIDATOR HIGH COURT OF KERALA V/S SIMON ELECTRONIC PVT LTD & ANOTHER.
PETITIONERS ADVOCATE/ PROFESSIONAL	OFFICIAL LIQUIDATOR.
RESPONDENTS ADVOCATE/ PROFESSIONAL	CYRIL AMARCHAND MANGALDAS ADVOCATES & SOLICITORS & MENON AND PAI ADVOCATES.

Office
Notes

Video Conference

2nd Dec 2022

O R D E R

IA(C/ACT)/169/KOB/2022 in CA(CAA)/03/KOB/2022

Learned Deputy Official Liquidator, Ms. Ambili B is present in person.

This is an application filed with the prayer mainly to the following effect:

- i. *Permit the Official Liquidator to engage the services of M/s. Babu A Kallivayalil & Company, Chartered Accountant, 2 d Floor, Manchu complex, P T Usha Road, Cochin – 682 011, a Chartered Accountant firm from the panel of Chartered Accountants of Official Liquidator approved by the Hon'ble High Court of Kerala for taking up the scrutiny of the books of accounts, statutory registers and other relevant records and papers relating to the transferor company viz: Simon Electric Private Limited (Transferor Company).*
- ii. *Direct the transferor company to pay the fees that may be payable to the Chartered Accountants for the scrutiny of the books of accounts, statutory registers and other relevant records and papers.*

Respondent is represented by learned counsel Ms. Shikha Tandon, who opposed the application and submits that Scheme has already been approved by the shareholders and also by the creditors. The first motion application has already been approved by this Tribunal.

However, considering the submissions made by the learned Deputy Official Liquidator it is felt necessary to allow the prayers and we hereby appoint M/s. Babu A Kallivayalil & Company, Chartered Accountant, for the purpose of scrutiny of the books of accounts, statutory registers and other relevant records and papers relating to the transferor company viz: Simon Electric Private Limited for the last three financial years. The fee of the Chartered Accountant Firm is fixed as Rs. 25,000/- (Rupees Twenty-five thousand only), which shall be paid in advance by the Transferor Company.

The Chartered Accountant is directed to submit the report to the Official Liquidator within three weeks' time.

Accordingly, this application is **allowed and disposed of**.

Sd /-

**Satya Ranjan Prasad
Member (Technical)**

Sd /-

**P. Mohan Raj
Member (Judicial)**