सत्यमेव जयते

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH
COURT- V

Hearing Through: Physical Mode

1. **Following matters are listed before the Bench, for hearing through Physical Mode.**
2. **Parties/ counsels appearing through physically should make attendance in the Appearance Sheet.**

DAY :WEDNESSDAY
DATE: 08.01.2025
TIME:10:30 AM

Coram: 1. MS. REETA KOHLI, HON'BLE MEMBER (J)
2. MS. MADHU SINHA, HON'BLE MEMBER (T)

Sr. No.	CP. No.	IA/CA No.	Purpose	Section	Name of Parties	Name of Counsel for P	Name of Counsel for R	Name of RP/ Liquidator/MP	Remarks
SUPPLEMENTARY									
101.	APPEAL/88(MB)2024		Further Consideration	Sec 252 (1)	Jayalalita Commodities Private Limited VS Registrar of Companies Mumbai	Nithish Bangera			
102.	C.A.(CAA)/156(MB)2024		Further Consideration	Sec. 230-232, Sec 234	Kyoorius Digital Private Limited	Harsh Ruparelia			
103.	C.A.(CAA)/232(MB)2024		Further Consideration	Sec. 230-232, Sec 234	Shree Adarsh Toptex Udyog Pvt Ltd	Bathiya Legal			

104.	C.A.(CAA)/247(MB)2024		New Application	230	Bridge to India Energy Private Limited	Hemant Sethi And Co			
105.	C.A.(CAA)/252(MB)2024		New Application	230	SIKA MBCC India Private Limited	Hemant Sethi And Co			
106.	C.A.(CAA)/151(MB)2024	C.P.(CAA)/241(MB)2024	New Application	Sec. 230-232	Parle Bisleri Private Limited	Ajit Singh Tawar			
107.	C.A.(CAA)/69(MB)2024	C.P.(CAA)/239(MB)2024	New Application	Sec. 230-232	Capiot Software Private Limited	Hemant Sethi And Co			
108.	CP/129(MB)2023	IA/206/2024	New Application	Sec. 58(3)	Madhukar Sawant VS Forbes & Company Limited	PrachiPandya			
109.	CP/54(MB)2024	IA/5/2025	New Application	Sec. 241(1) Sec. 242(4)	Mr. Vikram Makar VS Oriental Rubber Industries Private Limited	Ranit Basu Maitri Malde			
				ORDINARY					
201.	CP/1369(MB)2020		Further Consideration	Sec 252 (1)	Ocean Breweries Private Limited V/S Registrar Of Companies	Murugesh Iyer			**RFV**
202.	TP/87(MB)2010	CA/1634/2019 CA/2708/2019	Further Consideration	Sec. 241(1)	Jer Rutton Kavasmaneck VS Gharda Chemicals Ltd and others	Legasis Partners & Shriraj Dhruv			**12:30 PM**
203.	CP/1105(MB)2018		Further Consideration	Sec.241(1),Sec.242(4)	Arvind Jagannath Bagul V/S Sanjit Instruments Pvt Ltd				
204.	CP/119(MB)2024		Further Consideration	66.	OCS Group (India) Private Limited	Harsh Ruparelia			
205.	APPEAL/62(MB)2024	IA/203/2024	Further Consideration	Sec 252 (1)	Tejbahadur Shivnath Singh Vs Registrar Of Companies	Aksha Hudda			
206.	APPEAL/65(MB)2023		Further Consideration	Sec 252 (3)	Prateek Kumar VS Registrar of Companies Pune	Sanket Jayesh Shah			
207.	APPEAL/52(MB)2024		Further Consideration	Sec 252 (1)	The Income Tax Department Through I to 12 2 1 Mumbai Vs Registrar Of Companies Mumbai	Subir Kumar			

208.	APPEAL/68(MB)2024		Further Consideration	Sec 252 (1)	Kalpana Munshi VS The Registrar of Companies Mumbai	Akshay M. Gosavi			
209.	APPEAL/73(MB)2024		Further Consideration	Sec 252 (3)	Sameer Narayan Bandekar VS Registrar of Companies Mumbai	Ajit Singh Tawar			
210.	CP/1352(MB)2020		Further Consideration	Sec 252 (1)	J & P Facility Management Private Limited V/S Registrar Of Companies Mumbai	Nirali Patel Aparna			
211.	CP/1408(MB)2020		Further Consideration	Sec 252 (1)	Mr. Chand Mohamed Damanwala VS Registrar of Companies Mumbai	A. W. Ansari			
212.	CP/37(MB)2021		Further Consideration	Sec 252 (1)	Arti Leather & Accessories Pvt Ltd VS ROC, Mumbai	Reeti Law Associates			
213.	C.A.(CAA)/217(MB)2023		Further Consideration	230	Apposite Trading Private Limited	Harsh Kesharia			
214.	C.A.(CAA)/125(MB)2021	C.P.(CAA)/146/2022	Further Consideration	Sec. 230-232	Ashtek Consultancy PrivateLimited	Madhuri Pandey Arani Guha			
215.	C.A.(CAA)/31(MB)2024	C.P.(CAA)/198(MB)2024	Further Consideration	Sec. 230-232	Cruiser Shipping And Agency Private Limited	Zadn And Associates Ca			
216.	C.A.(CAA)/40(MB)2024	C.P.(CAA)/161(MB)2024	Further Consideration	Sec. 230-232	Daffodil Projects Private Limited	Hemant Sethi And Co			
217.	C.A.(CAA)/86(MB)2022	C.P.(CAA)/170/(MB)2022	Further Consideration	Sec. 230-232	Comfort Multitrades Private Limited	Chandrakant R Mahadeshwar			
218.	C.A.(CAA)/30(MB)2024	C.P.(CAA)/183(MB)2024	Further Consideration	Sec. 230-232	Keystone Realtors Limited	Khaitan And Co LLP			
219.	C.A.(CAA)/78(MB)2024	C.P.(CAA)/116(MB)2024	Further Consideration	Sec. 230-232	Astron Engineers (India) Private Limited	Hemant Sethi And Co			
220.	C.A.(CAA)/83(MB)2024	C.P.(CAA)/157(MB)2024	Further Consideration	Sec. 230-232	Aditya Birla New Age Hospitality Private Limited	Rahul Atal			
221.	C.A.(CAA)/114(MB)2024	C.P.(CAA)/152(MB)2024	Further Consideration	Sec. 230-232	Alphaplus Commodities Private Limited	Harsh Ruparelia			
222.	C.A.(CAA)/116(MB)2024	C.P.(CAA)/215(MB)2024	Further Consideration	Sec. 230-232	India Emerging Companies Investment Limited	Hemant Sethi And Co			

223.	C.A.(CAA)/102(MB)2024	C.P.(CAA)/204(MB)2024	Further Consideration	Sec. 230-232	Vishkul Enterprises Private Limited	Harsh Ruparelia			
224.	C.A.(CAA)/107(MB)2024	C.P.(CAA)/203(MB)2024	Further Consideration	Sec. 230-232	Maxbhumi Developers Limited	Hemant Sethi And Co			
225.	C.A.(CAA)/126(MB)2024	C.P.(CAA)/164(MB)2024	Further Consideration	Sec. 230-232	Starlight Systems Private Limited	Harsh Ruparelia			
226.	C.A.(CAA)/127(MB)2024	C.P.(CAA)/221(MB)2024	Further Consideration	Sec. 230-232	Credit Suisse Services (India) Private Limited	Cyril Amarchand Mangaldas			
227.	C.A.(CAA)/124(MB)2024	C.P.(CAA)/197(MB)2024	Further Consideration	Sec. 230-232	Decent Electronics Private Limited	Harsh Ruparelia			
228.	C.A.(CAA)/148(MB)2023	C.P.(CAA)/295(MB)2023	Further Consideration	Sec. 230-232	Supportive Insurance Brokers Limited	Rajesh Shah Co			
229.	C.A.(CAA)/263(MB)2021	C.P.(CAA)/57(MB)2022	Further Consideration	Sec. 230-232	Sahyadri Karad Hospitals Private Limited	Rajesh ShahCo			
230.	CP/110(MB)2024		Further Consideration	Sec. 441	Lok Suvidha Finance Limited Vs Registrar Of Companies Mumbai	Ninad Sahasrabuddhe			
231.	CP/176(MB)2022		Further Consideration	Sec. 213 Sec 221	Cethar Limited VS SKS Ispat and Power Ltd				
232.	CP/1243(MB)2020		Further Consideration	Sec. 271-273	Alfred N. Schindler Foundation For Children Education	Tanmay Varadkar			
233.	CP/217(MB)2017		Further Consideration	64 of LLP Act,2008	Tarun Komal Zindal				
234.	CP/1279(MB)2020		Further Consideration	Sec. 58(3)	Mehfuza Yakoob Patrawala & Ors V/s Haji Moosa Patrawala Pvt. Ltd.& Ors	AAK LEGAL Aziza Khatri			
235.	TP/97(MB)2010		Further Consideration	Sec. 241(1) Sec. 242(4)	Dilipkumar Shrivastava Vs The Champion India Industries Pvt Ltd				
236.	CP 90/MB/2021		Further Consideration	Sec. 59, Sec. 241(1), Sec. 242(4)	Punit Aggarwal V/S Tirupati Dyed Yarn Private Limited	Ashish O Lalpuria			
237.	CP/104(MB)2021		Further Consideration	Sec.59, Sec.213, Sec. 241(1), Sec.242	Rajendra Kumar Balai V/S Sagar Uniexim (India) Pvt Ltd	Heena Jaysinghan I			
238.	CP/338(MB)2021		Further Consideration	Sec.241(1), Sec. 242(4)	Umakant Aggarwal V/S Punit Aggarwal	Geeta Lundwani			

239.	CP/361(MB)2021		Further Consideration	Sec. 241(1) Sec. 242(4) Sec. 243(1) (b) Sec. 244(1) Sec. 245	Pratap Uttam Purohit VS Versatile Properties Private Limited	Clove Legal			
240.	CP/73(MB)2022		Further Consideration	Sec. 58(3) Sec. 59 Sec. 241(1) Sec. 242(4)	Shibhani Datta Raja V/s Solutiioneyes ConsultancyServicess & Constructions Private Limited	KrishnaMoahn			
241.	CP/177(MB)2023		Further Consideration	Sec. 241(1) Sec. 242(4)	Sanjay Murarilal Chaturvedi Vs Accommodation Times Media And communications Private Limited	Pooja Sakharam Gaikwad			
242.	CP/145(MB)2024		Further Consideration	Sec. 213 Sec. 241(1) Sec. 242(4) Sec. 244(1)	Deepak Sonelal Kasthwal Vs Elements Learning Centre Private Limited	Sheba Abraham			
243.	CP/1446(MB)2020	CA/182/2022	Further Consideration	Sec. 241(1) Sec. 242(4)	Mukesh Kumar Gupteshwar Pandey Vs G.M.S. Offshore Services Pvt. Ltd.	Manoj Kumar Mishra			
244.	CP/183(MB)2021	CA/167/2021 CA/159/2021 CA/383/2021	Further Consideration	Sec. 241(1) Sec. 242(4)	Ashish Pravin Parekh Vs Telematrix Consultants Private Limited	Gp And Associates			
245.	CP/223(MB)2021	CA/206/2022 IA/106/2023	Further Consideration	Sec. 241(1) Sec. 242(4) Sec. 244(1)	Mrs. Lata Anil Pardeshi Vs Trident Diesel Systems Private Limited	Girish Govind Paralikar			
246.	CP/232(MB)2021	IA/51/2022	Further Consideration	Sec. 244(1)	Devanand Raosaheb Gund VS Ashti Sugar Limited	Akshay Petkar			
247.	CP/53(MB)2022	IA/53/2022 IA/62/2022 IA/28/2023 IA/165/2023 CA/345/2024	Further Consideration	Sec. 241(1) 242(4) 244(1)	Amit Seth VS Bay Tankers Private Limited	Universal Legal Associates			
248.	CP/13(MB)2024	IA/42/2024	Further Consideration	Sec. 241(1) Sec. 242(4) Sec. 244(1) Rule 11 of NCLT	Mr. Pravin Kumar Singh VS Impactware Technology Solutions Pvt. Ltd.	Sahil Harjani			

249.	CP/60(MB)2024	CA/265/2024	Further Consideration	Sec. 59 Sec. 241(1) Section 56	Altaf Latif Shaikh Vs Lazeez Bakers Private Limited	Mily Ghoshal			

Sd/-
Sandeep Kumar
(Court Officer)

<u>NOTE</u>: All efforts have been made to provide accurate information in the Cause List. Inadvertent error, if any, is regretted and may be brought to the notice of the Registry/Court officer.

CHECKLIST FOR SECTION 7 OF THE IBC, 2016

1	Date of filing of the petition		
2	CP (IB)		
3	IA		
			Page No.
4	Date of default		
	Date of NPA, if applicable		
	Document relied upon for determining the date of default		
5	Whether the debt has been acknowledged		
6	Whether within Limitation period, specify		
7	Whether S.10 A applicable		
8	Whether 'Record of Default' issued by IU on record in compliance with the order NO– of NCLT dated —---		
9	Are Financial creditors allottees under a real estate project, if yes, specify conditions		
10	Amount Claimed		
11	Interest Component		
12	Calculation Sheet		
13.	Date of Advancement of Loan		
14.	Nature of Loan		
15.	Period of Loan		
16.	Loan Document		
17.	Whether the notification dated 14.06.2022 issued by		

	IBBI with respect to PAN, E-mail complied with;		
18.	Bank Statements furnished, if any		
19.	Deed of Guaranty, if any		
20.	Name of Guarantor/Guarantors		
21.	Date of Invocation of Guaranty		
22.	Date of Assignment of Debt, if any.		
23.	Name of the Assignor, if any.		
24.	Name of the Assignee, if any.		
25.	Any other litigation/OTS/Arbitration pending/disposed of on the issue of above-mentioned default before any other forum		
26.	Date of filing of previous application under section 7, if any, between the parties and result thereof.		
27.	Director's DIN of parties, if applicable		
28.	Are the parties related as defined in Section 5(24) & Section 5(24A) of IBC - specify details		
29.	Nature of Debt as per Section 5(8) - specify sub-section u/s 5(8) as applicable, e.g. (a) money borrowed against the payment of interest; (b) any amount raised by acceptance under any acceptance credit facility or its dematerialised equivalent; (c) ... (d)… Please specify "others"		
30.	Judgments relied on		

31	Nature of business of corporate debtor		

The petitioner is directed to fill in the above proforma, for expeditious disposal of Section 7 Applications. Any suggestion to improve the same may be emailed to **ncltmumbai0005a@gmail.com.** The Hard copy of the above proforma be submitted before this Bench with complete information at the time of the proceedings.

Date:

Submitted by:
Contact No:
Email:

CHECKLIST FOR SECTION 9 OF THE IBC, 2016

1	Date of filing of the petition		
2	CP (IB) No.		
3	IA No.		
			Page No.
4	Nature of operational debt as per section 5(21)		
5	Date of default		
	Document relied upon for determining the date of default		
6	Amount Claimed		
7	Interest Component, if any		
	Document relied upon for determining the interest clause		
8	Calculation Sheet		
9	Invoice Period		
10	Total No. of invoices		
11	Demand Notice Date		
12	Demand Notice u/s 8 of IBC service date & reply, if any		
13	Section 9 (3) (b) Affidavit		
	Pre-existing dispute, if any, with respect to amount in default,		
14	Whether the debt has been acknowledged		
15	Whether under Limitation period:		
16	Whether S.10 A applicable:		
17	Whether threshold has been achieved on account of claim of interest:		
18	Whether purchase order/invoice includes term of payment and interest on delayed payment		

19	Are the parties related as defined in Section 5(24) & Section 5(24A) of IBC - specify details		
20	Date of filing of previous application under section 9, if any, between the parties and result thereof.		
21	Copy of Form GSTR-1 and Form GSTR-3B, if laws relating to GST applicable		
22	copy of e-way bill wherever applicable		
23	Copy of certificate from financial institution maintaining accounts of OC confirming no payment of operational debt, if available		
24	Copy of Form MSME-1, if applicable		
25	Whether the notification dated 14.06.2022 issued by IBBI with respect to PAN, E-mail complied with;		
26	Balance Sheets		
27	Bank Statements		
28	Any other litigation/OTS/Arbitration pending/disposed of on the issue of above-mentioned default before any other forum		
29	Judgments, if any, relied on		

The petitioner is directed to fill in the above proforma, for expeditious disposal of Section 9 Applications. Please suggest improvement on **ncltmumbai0005a@gmail.com** hard copy of the above proforma be submitted before the Bench with complete information at the time of the proceedings.

Date:

Submitted by:
Contact No:
Email:

CHECKLIST FOR SECTION 10 OF THE IBC, 2016

1.	Date of filing of the petition		
2.	CP (IB)		
			Page No.
3.	Balance Sheet/Profit & Loss account of the corporate applicant to ascertain whether the corporate applicant is viable or not		
4.	Affidavit on eligibility under Section 11		
5.	Whether Interim Resolution Professional has been proposed		
6.	Special Resolution passed by shareholders of the corporate debtor or the resolution passed by at least 3/4th of the total no. of partners of the corporate debtor.	.	
7.	Books of accounts/balance sheets evidencing the default to the creditors.		
8.	Total debt raised and amount in default		
9.	Affidavit that the corporate applicant is not ineligible under section 11 of the Code		
10.	Affidavit. H that the application is not filed to defraud the creditors		
11. 12.	Nature of business of the corporate Applicant		
13.	The company master data		
14.	Details of guarantee given by the guarantors in relation to the debts of the corporate debtor.		
15.	Record of default with the information utility, if any		

16.	List of documents attached to this application in order to prove the existence of financial/operational debt and the amount in default		
17.	Copies of audited financial statements of the corporate debtor for the last two financial years and the provisional financial statements for the current financial year made upto a date not earlier than fourteen days from the date of the application.		
18.	Date when the financial/operational debt was incurred		
19.	Particulars of security held, if any, the date of its creation, its estimated value as per the creditor.		
20.	Particulars of any debts owed by or to the corporate debtor to or by persons connected with it;		
21.	Whether any and if so what, guarantees have been given in relation to the debts of the corporate debtor by other persons, specifying which, if any, of the guarantors is a related party to the corporate debtor and the corporate applicant; and		
22.	Relevant extract of any constitutional document or shareholders' agreement that records the authority of the corporate applicant to make this application, where the corporate applicant is a member or partner of the corporate debtor		
23.	The relevant extract of an employment agreement, constitutional document or fillings made to the Registrar of Companies confirming the authority of		

	the corporate applicant to make this application, where the corporate applicant is an individual in charge of managing the operations and resources of the corporate debtor or has control and supervision over the financial affairs of the corporate debtor		
24.	Judgments relied on		
25.	Nature of business of the corporate debtor		
26.	*Latest audited financial results for the year ending 31.03.2023 containing position of loans & advances, debtors and inventory along with auditor's report.*		
27.	*Financial/Books of accounts in a pen-drive*		
28.	*Provide for the fee of the IRP/RP for a period of 6 months*		
29.	*An affidavit to the effect that it has not received any SARFESI notice and that this application is not to defeat the purposes of law*		

The petitioner is directed to fill in the above proforma, for expeditious disposal ofSection 10 Applications. Please suggest improvement on **ncltmumbai0005a@gmail.com** hard copy of the above proforma be submitted before the Bench with complete information at the time of the proceedings.

Date:

Submitted by:
Contact No:
Email:

CHECKLIST FOR VOLUNTARY LIQUIDATION (SECTION 59 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016)

Sr. No	Particulars	Please provide the Annexure/page no as mentioned in the application/submissions
1	Jurisdiction of concerned RoC	
2	MOA & AOA of the Petitioner Company True copy of Master Data	
3	Date of meeting of Board of Director • Minutes attached • % of members approving the proposal	
4	Declaration of Solvency with RoC- duly signed by Directors	
5	Information to Registrar of Company and IBBI in Form GNL-2 and MGT-14 along with EOGM resolution	
6	Public Announcement	
7	Whether any claim lodged pursuant to public announcement? If any claim is filed, whether the same has been settled?	
8	Whether information is given to the IT Department under Section 178 of Income Tax Act?	
9	Creditor’s claims verification by Liquidators	
10	Date of Preliminary and Final reports by Liquidator	
11	Separate Bank Account details	
12	Whether accounts in bank account distributed? And Bank A/c closed?	

13	Filing of final report with RoC/IBBI	
14	Any response filed to the report of RoC/IBBI	

Other Relevant information/Remarks	

This is a basic discussion paper to enable the NCLT Benches to collect relevant information in the first/second hearing so that disposal of Applications under Section 59 of Insolvency and Bankruptcy Code, 2016 is expedited. Please suggest improvement on **ncltmumbai0005a@gmail.com** Hard copy of the information in the above format be submitted before the Bench at the time of the proceedings.

Date:

Submitted by:
Contact No:
Email:

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CONVENIENCE PROFORMA for RESOLUTION PLAN APPROVAL to be filed by RESOLUTION PROFESSIONAL

1. Name of Corporate Debtor:
2. Name of Directors of Corporate Debtor:
3. CIN of Corporate Debtor:
4. Shares of Members of CoC - Table

Name of the financial creditor	Amount claimed	Amount admitted	Percentage of voting share(%)	Voting for Resolution Plan (Voted for/Dissented/Abstained)

5. Valuation Report

Sr. No.	Name of Valuer	Fair value	Liquidation Value

6. Note on the calculation of minimum liquidation value u/s 30(2)(b) in the present plan.

7. Meetings of CoC

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Particulars	Date of CoC Meeting	Main Agenda of discussion	Important decisions ratified
1st CoC Meeting			
2nd CoC Meeting			

8. Public Announcement – Form A (newspaper details)
9. Form – G (Newspaper publication)
10. Details of the change of RP, if any?
11. Prospective Resolution Applicant(s) (PRAs)

Sr. No.	Names

12. If the aggregate dues of the operational creditors is not less than 10% of total debt, whether compliance of Regulation 36A (12) of CIRP Regulations, 2016 has been made by the Resolution Professional?
13. Is the corporate debtor a going concern within the meaning of Section 5 (26) of the Code?
14. Modifications made in Resolution Plan after initial CoC approval, if any.
15. Whether the Resolution Plan maintains Corporate Debtor as a going concern, specify the status before and after approval of the Plan.
16. Note on a security interest in the Corporate Debtor’s assets by the parties, if any.
17. A note on how the provision for payment to operational debtors is in compliance with the provisions of Section 30(2) (B) of the IBC, 2016.
18. Date of filing of Compliance Certificate in the prescribed form, i.e., Form 'H' in compliance with Regulation 39(4) of the Insolvency & Bankruptcy Board of India

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(Insolvency Resolution Process for Corporate Persons) Regulations, 2016 by the RP. Please mention the page number of Form H filed with the original application.

19. Details of Monitoring Committee

Name(s) of the proposed member(s) of implementation and monitoring committee	Brief description of the Proposed member(s) of the I&M committee

20. A resolution plan shall provide for the measures, as may be necessary, for insolvency resolution of the corporate debtor for maximization of value of its assets, including but not limited to Clauses (a) to (j) of Regulation 37. Not all Clauses are covered in each Resolution Plan. Please mention the Clauses relevant to your case and mention page numbers in the Resolution Plan dealing with the same.

Regulation 37	Relevant Page Number of the Resolution Plan dealing aforesaid compliance with Regulation (Clause wise)
(a)	
(b) …….(j)	

21. The amounts actually provided for under Section 30(2) of the Code:

Particulars	Amount of Claim Filed (Rs. in Cr.)	Amount of Claim admitted (Rs. in Cr.)	Amount provided under the Plan (Rs. in Cr.)	Amount provided to the amount claimed %	Amount reflected in the last Balance Sheet before CIRP. (only on 3 * starred item below)	Amount available in liquidation
Secured Financial Creditors						
Unsecured						

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Financial Creditors (except related party)						
*Staff & Workmen						
Operational Creditors (statutory dues)						
Related Party (includes Unsecured Financial Creditors & Operational Creditor)						
*Statutory Liabilities						
*Any other liability, including contingent liability						
Total						

Please attach a copy of the last Balance Sheet before the initiation of CIRP.

22. The term of plan and its implementation schedule in detail R.38(2):

Sr. No.	Particulars	Amount (Rs. in Lakhs) verified by RP	Upfront Cash	Deferred Cash at the end of 1st Year	Rest of Deferred Cash
1.	CIRP Cost				

2.	Secured Financial Creditor				
3.	Unsecured Financial Creditor				
4.	Operational Creditor for Goods & Services				
5.	Operational Creditor Government Dues (Customs)				
6.	Operational Creditor Government Dues (Tax)				
7.	Operational Creditor Employees & Workers				
8.	Funds for stabilization of Business and Working Capital				

23. Relinquishment/Waiver of liabilities and Approvals prayed for :

Sr. No.	Relief and/or Concessions and Approvals Sought	Competent Authority/ Courts/ Government/Semi-Government Authority for relief sought	Justification for seeking the relief/concession

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24. Section 32 A compliance regarding the liability of prior offences and pending litigation in the present case.

25. Please attach an affidavit by RP that he has done due diligence on the claim of the SRA regarding meeting the requirements of S.29A and finds the same in order.

26. In case the corporate debtor is an MSME and is exempted from the provisions of Section 29A, the RP is to submit an MSME certificate along with an affidavit that no proceeding for cancellation of the Acknowledged Entrepreneurs Memorandum has been undertaken in this case by the prescribed authority or the same is not cancelled as on the date of filing the application.

27. Whether the RP has formed an opinion and made a determination on the preferential and other transactions under Regulation 35A.

28. Details of dues of the workmen (for the period of twenty-four months) and employees (for the period of twelve months) under Section 30(2)(b) read with Section 53 of the Code :

Details of dues of workmen (beyond 24 Months) and Employees (12 Months) In INR.					
Category	Salary	Provident Fund	Leaves	Gratuity	Total
Workmen					
Employees					
Total					

29. The Successful Resolution Applicant to state on affidavit that the following payments are provided for/or will be paid over and above the provisions of the Resolution Plan in compliance of the order of the Hon'ble NCLAT in the Case of M/s Jet Airways India Ltd.*; upheld by the Hon'ble Supreme Court in Civil Appeal No 407 of 2023 with Civil Appeal Nos 465-469 of 2023.*

    (i) The workmen and employees are entitled to receive the amount of provident fund and gratuity in full since they are not part of the liquidation estate under Section 36(4)(b)(iii).

    (ii) The workmen are entitled to receive their dues from the Corporate Debtor for period of 24 months as per provision of Section 53(1)(b) at least to minimum liquidation value envisaged under Section 30(2)(b) read with Section 53(1).

30. Whether revised Form H has been filed in case the amounts for distribution to various stakeholders have changed subsequent to the filing of the original Form H along with the application. If yes, date of filing.

31. Name and Contact details of the Forensic Auditor: Yes/No

32. Whether the Forensic Auditor is in the empanelled list of the Indian Banks' Association : Yes/No

33. Allegations of PUFE Transactions filed by RP under Regulation 35A:

Sections	Nature of allegation	Amounts involved	Documents relied upon	Remarks

34. Copy of transaction Audit Report and Forensic Audit Report be submitted if not already done.

35. If transaction audit/forensic audit was done anytime within three years prior to initiation of CIRP by the lending banks/members of COC, a copy of such audit reports be submitted.

36. Whether there is a provision in the Resolution Plan specifying disbursement of amounts recoverable from PUFE transaction to Creditors.?

37. Specify the party that will pursue the avoidance transaction application and also meet the expenses incurred therein.

38. Whether separate applications for Sections 43, 45, 66 and related Sections in the Code as applicable have been filed regarding PUFE transactions?

39. Details of exclusion(s) & extension(s) granted by NCLT, if any?

40. Any such application as mentioned above is pending before NCLT.

41. Any order passed by NCLT or Higher Judicial Authorities e.g. Hon'ble Supreme Court & Hon’ble NCLAT and Others, relating to this CIR proceedings.

42. Date of filing of an affidavit by RP regarding the compliance of Section 29A due to verification of the affidavits filed by the SRA.

43. Whether the corporate debtor has a reserve fund for PF/gratuity.

44. Affidavit by SRA for payment of PF and Gratuity dues up to the date of order of the NCLT approving the Resolution Plan in terms of the order of the Hon’ble NCLAT in the Case of M/s Jet Airways India Ltd.*; upheld by the Hon’ble Supreme Court in Civil Appeal No 407 of 2023 with Civil Appeal Nos 465-469 of 2023.*

45. If any IA is pending for claims and the same has been summarily rejected by the RP, an affidavit by the RP communicating the decision of the COC after a fresh consideration of the claim.

46. RP is to state on the affidavit whether there is any contingent liability of the corporate debtor pending as on the date of initiation of CIRP and before the approval of the Resolution Plan by the CoC.

47. if any contingent liability is pending, the SRA is to state on affidavit whether the same has been taken into account in the Resolution Plan.

48. The RP is to state on affidavit whether the Resolution Plan is compiled with Regulation 38 (2) (d) of the CIRP Regulations, 2016.

49. If there is any change in the distribution of amounts from what is reflected in the original Form H , whether a revised Form H indicating the final distribution is filed?

50. Details of the IAs/CAs filed where the RP is applicant/respondent in the following Format:

Sr. No.	IAs/CAs No.	Date of filing	Applicant(s)	Respondent(S)	Prayer	Remarks	Bearing on Resolution Plan

P-1

51. Pending Litigation related to Corporate Debtor:

Sr. No.	Name of Judicial Authority	Year of Filing	Parties to the Litigation	Subject matter of Litigation	Present status of Litigation	Remarks

52. Details of payment schedule:

	Amount in Crore	Details of payment
Earnest Money Deposit		
Upfront Contribution, if any, as per the Resolution Plan submitted by the applicant		
Performance Security under Regulation 39(4) Sub Regulation (4A) of Regulation 36B read with Regulation 39(4)		

53. Summary of the Financial proposal/payment under the Resolution Plan is as follows

P-1

Particulars	Amount
Resolution Plan Value:	
CIRP Cost	
Payment to Secured financial Creditors:	
Workmen's & Employees priority dues:	
Operational Creditors	

Note: This Proforma is devised to highlight critical information in a resolution plan for expediting the approval of resolution plans/liquidation. Any suggestion to improve the same may be emailed to **ncltmumbai0005a@gmail.com**

Date:

Filed by:
Contact No.
E-mail:

P-5

CONVENIENCE PROFORMA for SECTION-33 of IBC
(to be filed by the RESOLUTION PROFESSIONAL)

1. Please specify the Section/Sub-Section under which application is made:
   - (i) Section 33(1)(a)/33(1)(b)
   - (ii) Section 33(2)
   - (iii) Others
2. Date if initiation of CIRP -
3. Shares of Members of CoC - Table

Name of the financial creditor	Amount claimed	Amount admitted	Percentage of voting share(%)

4. Valuation Report

Sr. No.	Name of Valuer	Fair value	Liquidation Value

5. Meetings of CoC

Particulars	Date of CoC Meeting	Main Points of discussion	Important decisions taken
1st CoC Meeting			
2nd CoC Meeting			

6. Is the Corporate Debtor a going concerns?

P-5

7. Details of change of RP, if any?

8. Allegations of PUFE Transactions filed by RP under Regulation 35A:

Sections	Nature of allegation	Amounts involved	Documents relied upon	Remarks

9. Details of exclusion(s) & extension(s) granted by NCLT, if any?

10. Compliance of the following Regulations:

    Regulation 39B;

    Regulation 39C;

    Regulation 39D;

11. Any such application as mentioned above is pending before NCLT.

12. Any order passed by NCLT or Higher Judicial Authorities e.g. Hon'ble Supreme Court & Hon'ble NCLAT and Others, relating to this CIR proceedings.

13. Details of the IAs/CAs filed where the RP is applicant/respondent in the following Format:

Sr. No.	IAs/CAs No.	Date of filing	Applicant(s)	Respondent(s)	Prayer	Remarks	Bearing on Resolution Plan

Note: This Proforma is devised to expedite the approval of Application under Section 33 of the IBC. Any suggestion to improve the same may be emailed to **ncltmumbai0005a@gmail.com.**

Date:

Filed by:
Contact No.
E-mail:

P-2

CONVENIENCE PROFORMA for Dissolution of Corporate Debtor

(to be filed by the LIQUIDATOR at the time of Application of Dissolution of Corporate Debtor under Section 54 of the IBC)

1. Date of commencement of Liquidation and appointment of Liquidator -
2. Date of filing and Diary No. of Preliminary Report (as per Regulation 13) submitted before NCLT.
3. Date and Diary No. of Asset Memorandum (as per Regulation 34) submitted before NCLT.
4. Amount claims received and verified :

Sr. No.	Names	Claims received Amount (in Cr.)	Claims verified under Regulation 12(2)(b) Amount (in Cr.)
1.	Operational Creditors		
2.	Financial Creditors		
3.	Workmen and Employees		
4.	Other Stakeholders		

5. Date of constitution of Stakeholders Consultation Committee as per Regulation 31A.
6. Meetings of the Stakeholders Consultation Committee:

P-2

Particulars	Date of SCC Meeting	Main Agenda of discussion	Important decisions ratified	Whether any advice of SCC not complied by the Liquidator	Remarks
1st SCC Meeting					
2nd SCC Meeting			ko		

7. Value of Assets, Valued in accordance with Regulation 35 –

Sr. No.		Market Value	Liquidation Value
1.	Agriculture Land		
2.	Factory Land & Building		
3.	Plant, Machinery, Furniture & Fixtures		
4.	Trade Receivable		
5.	Cash & Cash equivalent		
6.	Short Term Loans & Advances		
7.	Others (Please specify)		

8. Whether any compromise or arrangement is proposed under Rule 2B?
9. Whether Valuation of assets or business intended to be sold has been completed as on date?
10. Provision under which Sale of Assets have been made so far (as per Regulation 32

    (a) to (f)):

Regulation 32	Value of Asset
(a)	
(b) …….(f)	

11. Whether the Liquidator has formed an opinion and made a determination on the preferential and other transactions : Yes/No

12. Whether the avoidance applications have been segregated Section wise? Yes/No

13. Whether any avoidance application pending before this Adjudicating Authority? Yes/No

14. Name and Contact details of the Forensic Auditor:

15. Whether the Forensic Auditor is in the empanelled list of the Indian Banks' Association? Yes/No

16. Whether Form H is filed?

17. Allegations of PUFE Transactions filed by Liquidator under Regulation 35A:

Sections	Nature of allegation	Amounts involved	Documents relied upon	Whether still pending for adjudication

18. Details of the IAs/CAs filed where the Liquidator is applicant/respondent in the following Format:

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Sr. No.	IAs/CAs No.	Date of filing	Applicant(s)	Respondent(s)	Prayer	Diary No./Date of submissions made so far	Remarks

19. Whether any litigation or avoidance application pending in respect of the corporate debtor.

20. If yes, the liquidator to call a meeting of the financial creditors and they will submit on affidavit clarifying on the following:

    I. How these litigations /applications are proposed to be pursued, who will receive the proceeds, if any, from the above litigation/application and who will meet the expenses on these proceedings after the dissolution of the corporate debtor.

Note: This Proforma is devised to highlight critical information in Liquidation to expedite the approval of Dissolution proceedings. Any suggestion to improve the same may be emailed to **ncltmumbai0005a@gmail.com**.

Date:

Filed by:
Contact No.
E-mail:

IN THE MATTER OF AMALGAMATION/ARRANGEMENT OF

(UNDER SECTION 230-232 OF THE COMPANIES ACT 2013)

- **Mention exact page numbers and Annexures** **(Add columns according to number of companies)**

Sr. No.		Relevant Section/Rules	Company 1	Company 2
1.	Brief Description of Scheme. (Mentioning the transfer of business Undertakings between companies only)			
2.	Nature of the scheme [Example: subsidiary, simpliciter merger, composite scheme along with reduction; Demerger; Cross Border Amalgamation Etc]			
3.	Copy of Scheme of Amalgamation/Arrangement	RULE 3 (iii)		
4.	Rationale of Scheme & Prayers in the Application (Specify page numbers)			
5.	Nature of Business			
6.	Notice of Admission	FORM 2		
7.	Whether the Jurisdiction of companies are under this bench?			
8.	Affidavit under NCLT Form 6 as given in Rule 3 (iii)	RULE 3 (iii)		
9.	Copy of Minutes of Board Meeting of the applicant companies approving the scheme [Specify Annexure No. and Date of Meeting]			
10.	"Appointed Date" as mentioned in the Scheme.			
11.	Whether the Scheme envisage any reduction of share capital. If not, Affidavit in this regard.	Section 230 (2)(c)		
12.	Whether Scheme envisage any Corporate Debt Restructuring consented to by not less than **75% of the creditors** in value. If not, Affidavit in this regard.	Section 230 (2)(c)		
(i)	a creditor's responsibility statement in the prescribed form;	Section 230		

(ii)	Provision for safeguards for the protection of other secured and unsecured creditors;	Section 230 (2)(c)		
(iii)	Copy of report by the auditor that the fund requirements of the company after the corporate debt restructuring as approved shall conform to the liquidity test based upon the estimates provided to them by the Board;	Section 230 (2)(c)		
(iv)	where the company proposes to adopt the corporate debt restructuring guidelines specified by the Reserve Bank of India, a statement to that effect;	Section 230 (2)(c)		
13.	Whether Accounting Treatment in the scheme is as per Section 133? [Specify Date of Certificate and Annexure No.]	Section 133 of Companies Act, 2013		
14.	Legal proceedings or An Affidavit to the effect that no legal proceedings are pending.			
15.	Provision regarding Interest of workmen and staff (employees)			
16.	Valuation Report Mention Name of valuer & Registration No.	Section 230 (2)(c)		
	Date of Valuation			
	Annexure No.			
	Proposed Share Exchange Ratio [Specify Page No.]			
17.	Whether any affidavit regarding the sectoral regulators has been filed? (Also Mention - Applicability of Competition Commission of India)			
18.	Date of Audited Financial Statement filed?			
19.	Date of latest Provisional financial statement filed? Is it within 6 months from the date of proposed meetings?			
20.	Whether list of shareholders is certified by Independent Chartered Accountants/Company Secretary/ Director/ Authorised Signatory.			
21.	Whether list of creditors is certified by Independent Chartered Accountants/Company Secretary. [Mention the name of auditor and date of issuance of certificate]			

22. Please mention the total number of Shareholders, Secured Creditors, Unsecured Creditors or any other class of shareholders/creditors along with their Consent Affidavits, If any. [Mention Page No./Annexure]

Name of the Applicant Companies	**Shareholders along with their consent**				**Creditors along with their consents**					
	Equity Shareholder (A)	**Consent of (A) with calculations**	**Preference Shareholders (B)**	**Consent of (B) with calculations**	**Debenture Holders (C)**	**Consent of (C) with calculations**	**Secured Creditors (D)**	**Consent of (D) with calculations**	**Unsecured Creditors (E)**	**Consent of (E) with calculations**
Applicant Company No.1										
Applicant Company No.2										

23. Grounds on which exemption from meetings has been sought (if any)

	Ground for exemption of meetings of Equity Shareholders	**Ground for exemption of meetings of Secured Creditors**	**Ground for exemption of meetings of Unsecured Creditors**
Applicant Company 1			
Applicant Company 2			

24. Please furnish the details of shareholding of applicant companies in the following format:-

Sr. No.	Company	CIN	PAN	Date Of Incorporation	Authorised Share capital	Issued, Paid Up and Subscribed Share Capital
1.	Applicant Company 1					
2.	Applicant Company 2					

25. Post amalgamation / Demerger the capital structure of the applicants will be as under:

Sr. No.	Company	CIN	PAN	Date Of Incorporation	Authorised Share capital	Issued, Paid Up and Subscribed Share Capital

Note:- This format is devised to help petitioners/applicants furnish before NCLT Bench all required information/certification under the Companies Act, 2013 in the early stages of hearing to expedite approvals under Section 230-232 of the Act. Any suggestion for improvement is welcome.