



**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 12.06.2025 AT
10.30 A.M. THROUGH VIDEO CONFERENCING:**

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

IN THE MATTER OF : Briar Knoll Mills Pvt Ltd
PETITION NUMBER : CP(IBC)/729/CHE/2018
APPLICATION NUMBER : a) IA(IBC)/690/CHE/2025
b) IA(IBC)/759(CHE)2025
c) IA(IBC)/800(CHE)2025

ORDER

209.a. IA(IBC)/690/CHE/2025 IN CP(IBC)/729/CHE/2018

Present: Ld. Counsel Mr. S. Sathyanarayanan for the Applicant.

Ld. Counsel Mr. N. Kumar for the Liquidator.

This application has been filed by the under Section 60(5) of Insolvency and Bankruptcy Code 2016 and relief sought the following:

“Discharge and relieve the Applicant from the duties of the Liquidator and may be pleased to appoint another suitable Insolvency Professional as the Liquidator of the Corporate Debtor”.

It is stated that Corporate Debtor of M/s. Briar Knoll Mills Private Limited was admitted u/s 7 of IBC by this Tribunal on 25.02.2019 in C.P.729(IB)/2018. Further Resolution Professional Mr. Arumugam was appointed on 10.04.2019. The order of liquidation in respect of the Corporate Debtor was passed on 22.02.2021 in I.A.352/2020, giving the reason that as



there were no prospective resolution plans and Mr.K.Venkatrao was appointed as Liquidator.

It is stated the above said Mr.K.Venkatrao, Liquidator of Corporate Debtor was replaced by the order of this Tribunal dated 19.11.2024 the Applicant / Liquidator Mr. N. Kumar is appointed as new Liquidator.

Presently the Applicant/Liquidator prays for discharge from the duties and obligations as Liquidator of M/s. Briar Knoll Mills Private Limited. The reason behind this prayer is that, the applicant father is 92 years old who is currently ailing. Since it is stated that, the applicant being the only son has duties to take care his father. In view of above and considering the facts and circumstances in this case this Tribunal deems it fit, the applicant prayer is to be granted.

We order as follows:

1. Present Liquidators/Applicant Mr.N.Kumar who is in charge of the Corporate Debtor shall be discharged from the capacity of Liquidator with immediate effect.
2. The SCC of the Corporate Debtor is directed to settle the dues/fees if pending any, to the outgoing Liquidator.
3. Mr. Sugumar.R. having Registration No. (IBBI/IPA-001/IP-P-00677/2017-2018/11147) (e-mail: rsmaran@yahoo.co.in) Cell No. 9940164435 with AFA valid till 30.06.2026, is appointed as new Liquidator of the M/s. Briar Knoll Mills Private Limited after making due verification from the IBBI Portal and from the list provided for the Chennai Zone for the period of 01.06.2025 to 30.06.2025 with immediate effect.



4. Mr.Sugumar.R is directed to co-ordinate with all stake holders and perform all the duties and responsibilities entrusted under the IBC code, 2016.

Accordingly IA(IBC)/690/CHE/2025 is **allowed and disposed off**.

209.b.IA(IBC)/759(CHE)2025 IN CP(IBC)/729/CHE/2018

This is an Application seeking payment of Rs.5,90,000/- as Liquidator fee. The Application has been served and no reply has been received and none appeared on behalf of Respondent today. We have gone through the Application and we find there is a merit in the prayer and therefore we direct the Asset Reconstruction Company India Limited (ARCIL) to pay Rs.5,90,000/- (including GST) to the Applicant and also reimburse the cost incurred by the Applicant amounting Rs.1,50,000/- within two weeks from the date of order. Compliance memo be filed.

List the Application for hearing on **28.07.2025**.

209.c. IA(IBC)/800(CHE)2025 IN CP(IBC)/729/CHE/2018

This is an Application seeking to condone delay of 429 days in filing the Application for extension of liquidation period with effect from 28.02.2024 to 27.02.2026.

We find that there is huge delay of 429 days and the counsel for the Liquidator stated that the delay is neither willful nor wanton. Further it was stated that Erstwhile Liquidator filed an application IA.1127/2023 seeking extension of liquidation period up to 27.02.2024 and said application was kept pending for more than a year due to non prosecution by the Erstwhile liquidator and the same was ordered on 03.04.2025, extending the liquidation period upto 27.02.2024. Thereafter the Applicant filed the current Application seeking further extension of the Liquidation period from 28.02.2024. The delay of 429



days is the time gap between 27.02.2024 and 03.05.2025 (date of filing the present application). The present Application was filed consequent to the liberty granted to file this application for further extension beyond 28.02.2024 on 03.04.2025.

The reason for delay given at para 15 to 17. Therefore, the delay is condoned and also liquidation period is extended with effect from 28.02.2024 vide order dated 27.02.2026.

Accordingly IA(IBC)/800(CHE)2025 is **allowed and disposed off.**

Sd/-
RAVICHANDRAN RAMASAMY
Member (Technical)

Sd/-
JYOTI KUMAR TRIPATHI
Member (Judicial)

jp