



S.No.1

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
11-05-2026 AT 12:45 P.M.**

CP(IB) No. 277/7/HDB/2023

AND

IA (IBC) (Plan) 01/2026 in CP(IB) No. 277/7/HDB/2023

u/s. 7 of IBC, 2016

IN THE MATTER OF:

JM Financial Asset Reconstruction Company Limited **...Financial Creditor**

AND

KOBO Biotech Limited **...Corporate Debtor**

C O R A M:-

SH. RAJEEV BHARDWAJ, HON'BLE MEMBER (JUDICIAL)

SH. SANJAY PURI, HON'BLE MEMBER (TECHNICAL)

O R D E R

IA (IBC) (Plan) 01/2026

Present: Ms. Mano Ranjani and Mr. M Rama Rao, Learned Counsels for the
Resolution Professional.

Ms. Namrata Amol Randeri, Resolution Professional.

Orders pronounced, recorded vide separate sheets.

In the result, this application is allowed and disposed of.

Sd/-
MEMBER (T)

Sd/-
MEMBER (J)



**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH-I**

**IA (plan) No 01 of 2026
In
CP (IB) NO. 277/7/HDB/2023**

Application filed u/s 30(6) read with Section 31 of the IBC, 2016

IN THE MATTER OF
JM Financial Asset Reconstruction Company Limited
Petitioner/Financial Creditor

Versus
Kobo Biotech Limited
Corporate Debtor/Respondent

Filed by:

Namrata Amol Randeri
RP of M/s Kobo Biotech Limited
215, Laxmi Plaza, Laxmi Indl Estate
New Link Road, Andheri (W)
Mumbai – 400053

..... Applicant / RP

Date of order: 11.05.2026

Coram:

Shri Rajeev Bhardwaj, Hon'ble Member (Judicial)

Shri Sanjay Puri, Hon'ble Member (Technical)

Appearance:

For the Applicant: Ms. MS Mano Ranjani, Advocate



ORDER

1. The present Application is filed by the Resolution Professional of M/s Kobo Biotech Limited (Corporate Debtor) under Section 30(6) read with Section 31 of the Insolvency and Bankruptcy Code, 2016, seeking approval of the Resolution Plan dated 04.03.2026 submitted by **Beufond Industries Limited** (Successful Resolution Applicant/SRA), as approved by the Committee of Creditors (CoC) with 100% voting share in its 20th meeting held on 17.03.2026.

FACTS OF THE CASE IN BRIEF:

2. The Corporate Insolvency Resolution Process (CIRP) of the Corporate Debtor was initiated pursuant to admission of CP (IB) No. 277/7/HDB/2023 on 13.08.2024. Shri Ravindra Chaturvedi was appointed as Interim Resolution Professional (IRP) who was later confirmed as Resolution Professional. Subsequently, Ms. Namrata Amol Randeri was appointed as Resolution Professional by the COC in its 4th COC meeting and confirmed by order of this Adjudicating Authority in IA 85/2025 dated 17.01.2025.

PUBLIC ANNOUNCEMENT AND CONSTITUTION OF COMMITTEE OF CREDITORS (COC)

3. The IRP made a public announcement in Form A¹ on 17.08.2024 in widely circulated newspapers, namely Business Standard (All India

¹ Annexure-A03



Edition – English), Lakshadweep (Mumbai Edition – Marathi) and Mana Telangana (Telugu), inviting claims from all stakeholders, with 30.08.2024 as the last date for submission of claims. Claims received were verified and collated, and thereafter the Committee of Creditors (CoC) was constituted in terms of Section 21 of the Code. In the first meeting of the CoC, the IRP was confirmed as the Resolution Professional (RP). The CoC, as reconstituted from time to time, consisted of the following members:

S No	Financial Creditors (Secured and Unsecured)	Claim Admitted (amount in INR)	Voting Share (in %)
1.	JM Financial ARC Ltd	3,20,02,88,862	99.12%
2.	Omkara ARC Ltd	2,85,73,719	0.88%

DETAILS OF EXTENSIONS OF CIRP

4. The Adjudicating Authority extended the CIRP period as detailed below:-

S No	CP/IA No	Order Date	CIRP Extn	Extended upto
1.	CP 277/2023	13.08.2024	Admitted	09.02.2025
2.	IA 327/2025	14.02.2025	90 days	14.05.2025
3.	IA 885/2025	02.06.2025	60 days	14.07.2025
4.	IA 1156/2025	16.07.2025	30 days	14.08.2025
5.	IA 1396/2025	22.08.2025	15 days	30.08.2025
6.	IA 1447/2025	09.09.2025	60 days	30.10.2025
7.	IA 1757/2025	29.10.2025	90 days	30.01.2026
8.	IA 244/2026	03.02.2026	90 days	30.04.2026



APPOINTMENT OF REGISTERED VALUERS:

5. According to Regulation 27 of the IBBI (CIRP Regulations), 2016, the RP appointed two IBBI-registered valuers for determination of the fair value and liquidation value of the assets of the CD consisting of Land & Building (L&B), Plant & Machinery (P&M) and Securities & Financial Assets (SFA) within the prescribed timelines. Pursuant to physical inspection and verification of records, the valuers submitted their reports in accordance with the provisions of the Code and the regulations framed thereunder. Based on the valuation reports, the aggregate fair value of the Corporate Debtor was assessed at Rs. 75,52,22,810/- and the liquidation value at Rs. 56,73,20,306/-.

EXPRESSION OF INTEREST (EOI) IN FORM-G

6. **First Resolution Process (EoI in Form G dated 15.10.2024)**²-
- Pursuant to issuance of Form G dated 15.10.2024, Expressions of Interest were invited and 27 Prospective Resolution Applicants were shortlisted. After due diligence and issuance of process documents, five Resolution Plans were received as under:-
 - (1) Resurgent Property Ventures Pvt Ltd
 - (2) CVK Technologies Pvt Ltd
 - (3) Sun (Inox) Steels Pvt Ltd
 - (4) Beaufond Industries Ltd
 - (5) Verity Knowledge Solutions Pvt Ltd

² Annexure A07



- The CoC, with the assistance of the Process Advisor, undertook detailed evaluation, negotiations, and consideration of revised plans. Ultimately, the Resolution Plan submitted by CVK Technologies Pvt Ltd was approved by the CoC with the requisite voting share, and a Letter of Intent (LOI) was issued on 26.07.2025.
- However, the Successful Resolution Applicant failed to furnish the Performance Bank Guarantee within the stipulated and extended timelines. Consequently, the CoC, in exercise of its commercial wisdom, revoked the LOI and forfeited the deposited amount.
- Accordingly, the first resolution process did not culminate in implementation or approval of the Resolution Plan by the Adjudicating Authority.

7. **Second Resolution Process pursuant to Form G dated 10.09.2025 and Approval of Resolution plan³:**

- Following failure of the earlier process, the Resolution Professional obtained extension of the CIRP period from the Adjudicating Authority and, in accordance with the decision of the CoC, re-initiated the resolution process by issuing a fresh Form G dated 10.09.2025 under the Code.

³ Annexure-A08



- Pursuant thereto, 30 Expressions of Interest were received. After due diligence, eligible applicants were provided with the Information Memorandum, Evaluation Matrix, and Request for Resolution Plan. A total of 10 Resolution Plans were submitted, of which 9 compliant plans were evaluated.
- The Resolution Professional, along with advisors, conducted detailed scrutiny of the plans, including verification of eligibility under Section 29A and compliance with statutory requirements. The CoC deliberated on the plans across multiple meetings and permitted submission of revised and improved financial proposals to maximize value of the assets.
- To ensure transparent price discovery, a challenge mechanism was conducted on 20.02.2026, resulting in an improved bid. Thereafter, the plans were evaluated on feasibility, viability, and compliance with Section 30(2) of the Code.
- Upon completion of due diligence and receipt of compliance reports, the CoC, in its 20th meeting held on 17.03.2026, approved the Resolution Plan dated 04.03.2026 submitted by **BEAUFOND INDUSTRIES LIMITED** with 100% voting share.



LETTER OF INTENT (LOI)

8. Pursuant to the approval of the Resolution Plan by the CoC, the RP issued the LOI dated 05.04.2026⁴ to the SRA, Beaufond Industries Limited, which has been duly acknowledged by the SRA.
9. In accordance with Regulation 36B (4A) of the CIRP Regulations and the terms of the RFRP, the SRA has deposited an amount of Rs.10 Crores towards Performance Security within the prescribed timeline.

SALIENT FEATURES OF THE APPROVED RESOLUTION PLAN ARE SET OUT BELOW FROM THE RPLAN SUBMITTED BY M/S BEAUFOND INDUSTRIES LIMITED:

10. SRA Profile: **Beaufond Industries Limited** is a public limited company incorporated on 16.09.2023 and is engaged in industrial and biotech investment activities, with a focus on pharmaceuticals, chemicals and industrial processing. The SRA is professionally managed and has an active interest in industrial innovation and expansion through strategic acquisitions. The SRA has a net worth of approximately Rs. 333.28 Crores as reflected in the financial statements for FY 2024–25, supported by a Net worth Certificate issued by a Chartered Accountant.
11. Acquisition under CIRP: The Plan provides for acquisition of the Corporate Debtor as a going concern, including its business, assets and operational framework, with a view to ensuring continuity of operations. The SRA proposes to utilize the existing facilities and

⁴ Annexure A-15



business potential of the CD as part of its strategy for expansion in the relevant sector.

12. Transaction Structure and Implementation Steps: The Plan provides for implementation through a composite restructuring mechanism, including a Composite Scheme of Amalgamation and Arrangement, which forms an integral and inseparable part of the RPlan, comprising the following steps:
13. Capital Reduction and Reconstitution: The existing share capital of the CD shall stand cancelled and extinguished without any payment, and fresh equity shares shall be issued to the SRA and/or its nominees as majority shareholders. A portion of the equity shall be allotted to the Financial Creditors, including 3% to JM Financial Asset Reconstruction Company Limited, and a minimum public shareholding of 2% shall be retained with existing public shareholders, in compliance with applicable listing requirements.
14. Composite Scheme of Amalgamation and Arrangement: The Plan provides for a composite scheme comprising of three-step restructuring:
 - **Step-1 -Amalgamation/merger:** After amalgamation of the Beaufond Industries Limited/SRA (Transferor Company) with Kobo Biotech Limited/ Corporate Debtor (Transferee Company), pursuant to which the Corporate Debtor shall be the surviving entity; all assets and liabilities of Beaufond will be transferred to Kobo Biotech, followed by



- **Step-2 -Demerger:** After amalgamation, the business will be split into two entities. The Active Pharmaceutical Ingredients (API) business will be demerged and transferred into a separate Resulting Company to be incorporated, together with all assets, liabilities, licenses, contracts, employees and business operations attributable thereto, on a going concern basis. Both amalgamation and demerger are proposed to be undertaken on a going concern basis.
- **Step-3-Renaming of Corporate Debtor:** After demerger Kobo Biotech Limited will be renamed “Beaufond Limited”. The entity will primarily hold assets at Telangana and related development rights.

HIGHLIGHTS OF THE SCHEME OF AMALGAMATION/DEMERGER:

15. Approval and Legal Effect of the Scheme: The Scheme forms an integral and inseparable part of the Plan and is proposed to be implemented under the provisions of the Code r/w Regulation 37 of the CIRP Regulations, without following the procedure prescribed u/s 230–232 of the Companies Act, 2013. Approval of this Adjudicating Authority to the Plan shall be sufficient for giving effect to the Scheme insofar as the CD is concerned.
16. Vesting of Assets and Liabilities: Upon the Scheme becoming effective, all assets, liabilities, rights, licenses, approvals, contracts



and obligations of the Transferor Company shall stand transferred to and vested in the CD, as a going concern, without any further act, instrument or deed.

17. Demerger of Undertaking: Upon completion of the amalgamation, the identified undertaking Active Pharmaceutical Ingredients (API Business) shall stand demerged into the Resulting Company, together with all assets, liabilities, licenses and business operations attributable thereto, and the Resulting Company shall issue equity shares to the shareholders of the CD in accordance with the RPlan and the Scheme.
18. Dissolution of Transferor Company: Upon effectiveness of the amalgamation, the Transferor Company shall stand dissolved without undergoing the process of winding up.
19. Listing and Regulatory Compliance: The Plan provides for continuation of listing of the CD and listing of the Resulting Company, subject to compliance with applicable laws and receipt of necessary approvals.
20. Alternative Mechanism: The Plan provides for a defined fallback mechanism (Slump Sale Mechanism), which may be exercised by the SRA in the event that the Composite Scheme of Amalgamation and Arrangement cannot be implemented due to regulatory impediments, including SEBI objections, tax considerations or other



practical constraints, or where the SRA, in its discretion, elects to adopt such mechanism.

Under the said mechanism, the Plan provides, inter alia, that:

- the SRA shall transfer its API chemical business, including the Solapur manufacturing facility, to the CD on a going concern basis by way of a slump sale in accordance with applicable law;
- in consideration thereof, the CD shall issue equity shares to the SRA and/or its shareholders by way of preferential allotment in accordance with applicable SEBI regulations; and
- necessary corporate and regulatory approvals, including stock exchange approvals and shareholder approvals (as required), shall be obtained in accordance with applicable law.

The Plan further provides that such alternative mechanism shall achieve substantially the same commercial outcome as contemplated under Plan.

21. Regulatory Approvals: Implementation of the Scheme and restructuring steps is subject to receipt of necessary regulatory approvals. The Plan provides that payments to stakeholders shall not be contingent upon completion of the Scheme.
22. Renaming of the CD: Upon implementation of the restructuring, the CD shall be renamed as “Beaufond Limited” or such other name as



may be approved by the Registrar of Companies. The Plan provides that approval of this Plan by this Adjudicating Authority shall be deemed to constitute approval for such name change u/s 13 of the Companies Act, 2013, and no separate approval of shareholders or any other authority shall be required. The necessary filings with the Registrar of Companies shall be carried out in accordance with applicable law.

23. Assignment and Third-Party Recoveries: The Plan clarifies that third-party recoveries, including claims against Arch Pharmalabs Ltd., are excluded from the scope of assignment and shall accrue solely to the Financial Creditors and shall not form part of the Plan.
24. The COC comprised of the following Financial Creditors and distribution of voting share among them is as under:

Sl. No.	Name of Creditor	Voting Share (%)	Voting for Resolution Plan (Voted for / Dissented / Abstained)
1.	J. M. Financial Asset Reconstruction Company Ltd	99.12%	Voted for
2.	Omkara Assets Reconstruction Private Limited	0.88%	Voted for
	Total	100%	



25. The amounts provided in the Plan⁵ aggregates to approximately **Rs.70.11 Crores** (including CIRP costs of approximately Rs. 2.30 crores. The distribution of the amount for the stakeholders under the Resolution Plan and the payment schedule is as under:-

(Amount In Rupees)

Stakeholder Type	Amount(s)				Payment schedule
	Amount Claimed	Amount Admitted	Realisable amount under the plan	Amount realizable in plan to amount claimed (%)	
Secured Financial Creditors - Creditors not having a right to vote under sub-section (2) of section 21 - Dissenting - Assenting	3,15,20,33,163	3,15,20,33,163	66,16,72,036	20.99%	Upfront Payment (X + 60 Days)
Unsecured Financial Creditors -Creditors not having a right to vote under sub-section (2) of section 21 - Dissenting - Assenting	52,02,13,259	7,68,29,418	1,61,27,964	20.99%	Upfront Payment (X + 60 Days)
Operational Creditors					
(i) Government	89,55,81,410	26,75,72,953	1,00,000	0.04%	Upfront Payment (X + 60 Days)
(ii) Workmen - PF dues	-	-	-	-	-

⁵ Annexure A13



- Other dues					
(iii)Employees — PF dues - Other dues	16,33,83,375	2,66,85,800	1,00,000	0.37%	Upfront Payment (X + 60 Days)
(iv)Other Operational creditors	11,42,09,533	1,28,34,701	1,00,000	0.78%	Upfront Payment (X + 60 Days)
Other Debts and Dues	-	-	-	-	-
Shareholders	-	-	-	-	-
Total	4,84,54,20,740	3,53,59,56,035	67,81,00,000	19.18%	

26. Source of funds: As per the Net Worth Certificate, the Successful Resolution Applicant (SRA) has a net worth of Rs.333.18 Crores as on 31.03.2025 and liquidity of Rs.176.27 Crores. The promoters have also furnished commitment letters confirming availability of funds, supported by a Chartered Accountant's certificate. The Resolution Plan provides that the SRA shall fund its obligations through internal accruals and own sources, ensuring implementation within the stipulated timeline under the Insolvency and Bankruptcy Code, 2016.

27. In the above backdrop we heard Ms. MS Mano Ranjani, Learned Counsel for the Resolution Professional and perused the records.

FINDINGS:

28. The Resolution Professional has confirmed that the Resolution Plan meets all the requirements of Section 30(2) of the Code and Regulation 38 of the CIRP Regulations, including:



- *Payment of CIRP costs in priority;*
- *Payment to Operational Creditors not less than the liquidation value;*
- *Provision for management, control, and supervision of the Corporate Debtor post-approval;*
- *Feasibility and viability of the plan; and*
- *Due compliance with all other applicable provisions of the Code.*

Compliance of Section 30 (2) of the Code, is as under:

Provisions under Section 30(2) of the Code	Compliance under Resolution Plan
<i>(a) provides for the payment of insolvency resolution process costs in a manner specified by the Board in priority to the repayment of other debts of the Corporate Debtor;</i>	Yes, provision has been made for payment of the CIRP costs which is estimated at approximately Rs.2.30 Crores and shall be paid by the SRA in full, or the actuals, whichever is higher, in priority to all other payments in accordance with Section 30(2)(a) of the Code. (Part B.I, clause (c) - Page 55 of the plan).
<i>[(b) Whether the plan provides for the payment to the Operational Creditors</i>	The amount proposed to be paid under this category (including statutory dues, workmen and Employees) is Rs.3,00,000/- (Part B.I, clause (d) - Page 56 of the plan.
<i>(c) Payment to Financial creditors who did not vote in favour of the resolution plan.</i>	This provision is not applicable as the Plan has been approved by 100% voting share of the Financial Creditors. However details are provided under Clause iii (I,j,k & l) - (Page 77-78 of the plan)
<i>(d) Provides for the management of the affairs of the corporate debtor after approval of the plan?</i>	The Plan provides for constitution of a Monitoring Committee to supervise implementation from the NCLT Approval Date until the Transfer Date. "Monitoring



	Committee" (MC) shall comprise of (i) the Resolution Professional (ii) one nominee of the member of the CoC having the largest voting share and (iii) one nominee of the Resolution Applicant shall be formed to oversee implementation of the Plan till the Transfer Date. (Part B.VI -page 143).
<i>(e) Provides for the implementation and supervision of the Resolution Plan.</i>	Details provided under Part B.IV and B.V. – page 111 and 139 respectively.
<i>(f) Contravenes any of the provisions of the law for the time being in Force</i>	Statement has been included in the Resolution Plan. (Part B.1, Clause k.vi - page 57)

Compliance of Regulation 38 of the Regulations is as under:

<i>CIRP Regulation</i>	<i>Provisions of CIRP Regulations</i>	<i>Relevant clause / page no. of Resolution Plan document</i>
<i>Regulation 38(1)(a)</i>	<i>The amount payable under the resolution plan to the operational creditors, shall be paid in priority over financial creditors.</i>	Yes. Part B.I, clause (d) – page 56
<i>Regulation 38(1A)</i>	<i>Whether the resolution plan includes a statement as to how it has dealt with interest of all stakeholders including Financial Creditors and Operational Creditors of the Corporate Debtor.</i>	Declaration by the Resolution Applicant that the Resolution Plan has considered the interest of all the stakeholders of the Corporate Debtor, keeping in view the objectives of the Code. Part B.III under Clause e - page 70.
<i>Regulation 38(1B)</i>	Whether the Resolution Applicant or any of its related parties has failed to implement or contributed to the failure of implementation of any resolution plan approved under the Code	Declaration by the Resolution Applicant that neither the Resolution Applicant nor any of its related party has either failed or contributed to the failure of the implementation of any Resolution Plan approved under the Code.



	If so, whether the Resolution Applicant has submitted the statement giving details of such non-implementation.	Chapter-6, part-B, Clause I.b – page 55
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29. The Resolution Plan provides that CIRP costs shall be paid in full in priority in accordance with Section 30(2)(a) of the Code, and all other payments under the Plan shall be made within **60 days from the NCLT Approval Date**. The SRA has furnished a performance security of Rs. 10 Crores in compliance with the terms of the RFRP, which has been duly received and confirmed by the JM Financials, a CoC member holding 99.12% voting share.
30. The RP submits that proceedings concerning (i) avoidance transactions, (ii) recovery of amounts from attachment and sale of the Corporate Debtor's assets, and (iii) release of attachments and encumbrances over the Corporate Debtor's immovable properties have been adjudicated by the Adjudicating Authority and dismissed. The CoC, in its commercial wisdom, has resolved to challenge these orders. The CoC has resolved to file appeals before the appropriate forum. Such proceedings shall be pursued by the Secured Financial Creditor at its own cost, and any net realisations shall accrue to the Financial Creditors (Pg. 28 of the Plan). Regarding release of Attachments over Immovable Assets Proceedings for release of attachments and encumbrances over the Corporate Debtor's immovable properties have also been dismissed. As per the addendum to the Plan, such proceedings shall be pursued by the SRA in the name of the Corporate Debtor before



the appropriate forum. The RP has already filed an appeal before the Hon'ble NCLAT.

31. Here we refer to the following judgements: -

(a) *Hon'ble Apex Court in re **Sashidhar v. Indian Overseas Bank & Others (in Civil Appeal No. 10673/2018)** held that*

“if the CoC had approved the Resolution Plan by requisite percent of voting share, then as per Section 30 (6) of the Code, it is imperative for the Resolution Professional to submit the same to the Adjudicating Authority. On receipt of such proposal, the Adjudicating Authority (NCLT) is required to satisfy itself that the resolution plan as approved by CoC meets the requirements specified in Section 30(2). No more and no less”.

(b) *The Hon'ble Supreme Court has further held at para 35 of the above judgement that:*

the discretion of the adjudicating authority (NCLT) is circumscribed by Section 31 limited to scrutiny of the resolution plan “as approved” by the requisite percent of voting share of financial creditors. Even in that enquiry, the grounds on which the adjudicating authority can reject the resolution plan is in reference to matters specified in Section 30(2), when the resolution plan does not conform to the stated requirements.

(c) *The Hon'ble Supreme Court in **Committee of Creditors of Essar Steel India Limited Vs. Satish Kumar Gupta & Ors**, held that:-*

“the limited judicial review available to AA has to be within the four corners of section 30(2) of the Code. Such review can in no circumstance trespass upon a business decision of the majority of the CoC. As such the Adjudicating Authority would not have power to modify the Resolution Plan which the CoC in their commercial wisdom have approved”.

(d) *The Hon'ble Supreme Court of India, in the recent ruling in re **Vallal RCK vs M/s Siva Industries and Holdings Limited & Ors**, has held as under:-*

21. This Court has consistently held that the commercial wisdom of the CoC has been given paramount status without any judicial intervention for ensuring completion of the stated processes within the timelines



prescribed by the IBC. It has been held that there is an intrinsic assumption, that financial creditors are fully informed about the viability of the corporate debtor and feasibility of the proposed resolution plan. They act on the basis of thorough examination of the proposed resolution plan and assessment made by their team of experts. A reference in this respect could be made to the judgments of this Court in the cases of K. Sashidhar v. Indian Overseas Bank and Others, Committee of Creditors of Essar Steel India Limited through Authorised Signatory v. Satish Kumar Gupta and Others, Maharashtra Seamless Limited v. Padmanabhan Venkatesh and Others, Kalpraj Dharamshi and Another v. Kotak Investment Advisors Limited and Another, and Jaypee Kensington Boulevard Apartments Welfare Association and Others v. NBCC (India) Limited and Others.

27. This Court has, time and again, emphasized the need for minimal judicial interference by the NCLAT and NCLT in the framework of IBC. We may refer to the recent observation of this Court made in the case of Arun Kumar Jagatramka v. Jindal Steel and Power Limited and Another:

“95. However, we do take this opportunity to offer a note of caution for NCLT and NCLAT, functioning as the adjudicatory authority and appellate authority under the IBC respectively, from judicially interfering in the framework envisaged under the IBC. As we have noted earlier in the judgment, the IBC was introduced in order to overhaul the insolvency and bankruptcy regime in India. As such, it is a carefully considered and well thought out piece of legislation which sought to shed away the practices of the past. The legislature has also been working hard to ensure that the efficacy of this legislation remains robust by constantly amending it based on its experience. Consequently, the need for judicial intervention or innovation from NCLT and NCLAT should be kept at its bare minimum and should not disturb the foundational principles of the IBC.....”.

32. According to the Applicant, from the date of commencement of CIRP till date of filing this instant application, a total of 20 COC meetings were convened by the Resolution Professional.
33. It is further noted that the 180 days' time limit for completion of the CIRP as per Section 12 of the Code was 12.02.2025. However, the time



was extended time and again and the date of expiry of extended period of CIRP is 30.04.2026.

34. The highlights of the resolution plan are as under:-

1.	Date of Resolution Plan	24.11.2025
1.	Date of filing of resolution plan with the Adjudicating Authority	20.04.2026
2.	Name of the Resolution Applicant	BEUFOND INDUSTRIES LIMITED
4.	Voting % in favour of the Resolution Plan	100%
5.	Resolution Plan Amount provided by the SRA to the stakeholders	Rs. 70,11,00,000/- (including Rs. 2,30,00,000/- CIRP costs) plus 5% equity allocation to existing shareholder (2%) and secured financial creditor (3%)
6.	Total claims admitted by the RP	Rs. 3,53,59,56,035/-
7.	% of amount provided to the stakeholders under the Resolution Plan to the amount admitted	19.18%
8.	Hair Cut	80.82%
9.	Fair Value	Rs. 75,52,22,810/-
10.	Liquidation Value	Rs. 56,73,20,306/-
11.	PBG provided by SRA	Rs. 10,00,00,000/-
12.	Term/Implementation schedule	60 days from the NCLT approval date



35. According to the Resolution Professional, the said Resolution Plan complies with all the provisions of the IBC, IBBI / CIRP Regulations and does not contravene any of the provisions of the law for the time being in force and the Successful Resolution Applicant has filed an Affidavit⁶ pursuant to Section 30 (1) of the Code, confirming its eligibility under Section 29A of the code and the Resolution Professional affirms that the contents of the said Affidavit are in order. The Applicant has filed Form-H compliance certificate.
36. Therefore, the resolution plan submitted by Beaufond Industries Limited, when tested on the touch stone of the aforesaid facts and the rulings, we are of the view that the instant resolution plan satisfies the requirements of Section 30 (2) of the Code and Regulations 37, 38, 38 (1A) and 39 (4) of the Regulations. We also find that the Resolution Applicant is eligible to submit the Resolution Plan under Section 29A of the Code.
37. We therefore, hereby approve the Resolution Plan submitted by **Beaufond Industries Limited** ("Successful Resolution Applicant) for Rs. 70,11,00,000/-, along with annexures, schedules forming part of the Resolution Plan annexed to the Application and order as under: -
- (a) The Resolution Plan along with addendums, annexures and schedules forming part of the plan shall be binding on the

⁶ Annexure-A19



Corporate Debtor, its employees, members, creditors, including the Central Government, any State Government or any local authority to whom a debt in respect of the payment of dues arising under any law for the time being in force is due, guarantors and other stakeholders involved in the Resolution Plan.

- (b) All crystallized liabilities and unclaimed liabilities of the Corporate Debtor as on the date of this order shall stand extinguished on the approval of this Resolution Plan.
- (c) The approval of the Resolution Plan shall not be construed as waiver of any statutory obligations/ liabilities of the Corporate Debtor and shall be dealt with by the appropriate Authorities in accordance with law.
- (d) Approval of the said scheme by this Authority as part of the resolution plan shall be sufficient insofar as the Corporate Debtor herein is concerned. However, in respect of the other companies forming part of the said scheme, the procedure prescribed under Sections 230–232 of the Companies Act, 2013 shall continue to apply.
- (e) Any waiver sought in the Resolution Plan, shall be subject to approval by the Authorities concerned as held by Hon'ble Supreme Court in the matter of Ghanashyam Mishra & Sons Private Limited Versus Edelweiss Asset Reconstruction Company Limited in CIVIL APPEAL NO.8129 OF 2019 dated 13.04.2021.



- (f) It is hereby ordered that performance security of Rs. 10,00,00,000/-deposited by the Successful Resolution Applicant shall remain as performance Guarantee till the amount proposed to be paid to the creditors under the plan, is fully paid off and the plan is fully implemented.
- (g) The Memorandum of Association (MoA) and Articles of Association (AoA) shall accordingly be amended and filed, if applicable, with the Registrar of Companies (RoC) Hyderabad for information and record. The Resolution Applicant, for effective implementation of the Plan, shall obtain all necessary approvals, under any law for the time being in force, within such period as may be prescribed.
- (h) Henceforth, no creditors of the erstwhile Corporate Debtor can claim anything other than the liabilities referred to supra.
- (i) The moratorium under Section 14 of the Code shall cease to have effect from this date.
- (j) The Applicant shall forward all records relating to the conduct of the CIRP and the Resolution Plan to the IBBI along with copy of this order for information.
- (k) The Applicant shall forthwith send a copy of this order to the CoC and the Resolution Applicant.
- (l) The Registry is directed to furnish free copy to the parties as per Rule 50 of the NCLT Rules, 2016.



- (m) The Registry is directed to communicate this order to the Registrar of Companies, Hyderabad for updating the master data and also forward a copy to IBBI.
- (n) The Monitoring Committee/ Resolution Professional will submit a report to the Registry immediately after the implementation of the Plan.
- (o) Accordingly, IA No. (plan) 1/2026 is allowed and stands disposed of.

SD/-

(SANJAY PURI)
Member (Technical)

SD/-

(RAJEEV BHARDWAJ)
Member (Judicial)