



**NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT-II)**

**(IB)-744(ND)/2022**

**IN THE MATTER OF:**

**Advani Private Limited**

Room No. 522, 5<sup>th</sup> Floor,  
Tobacco House, 1, Old House Corner,  
Kolkata, West Bengal - 700001

**...Applicant/Financial Creditor**

**VERSUS**

**M/s. Starlit Powers Systems Limited**

Registered Office at:  
A-1/51, LGF, Safdarjung Enclave,  
New Delhi - 110029

**Corporate office at:**

A-1/20, LGF, Safdarjung Enclave,  
New Delhi - 110029

**...Respondent**

**Section: 7 of IBC, 2016**

**Order Delivered on: 13.01.2023**

**CORAM**

**SH. ASHOK KUMAR BHARDWAJ, HON'BLE MEMBER (J)**

**SH. L. N. GUPTA, HON'BLE MEMBER (T)**

**PRESENT:**

**For the Applicant** : Adv. Pulkit Deora a/w Adv. Swati Saluja

**For the Respondent** : Adv. Parmod Kumar Sachdeva



## **ORDER**

Advani Private Limited (for brevity, the '**Applicant/Financial Creditor**') has filed the present application is filed under the Section 7 of the Insolvency and Bankruptcy Code, 2016 (for brevity, the 'IBC, 2016') read with Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 with a prayer to initiate the Corporate Insolvency process against M/s. Starlit Power Systems Limited (the '**Respondent**').

2. The Respondent namely, M/s Starlit Power Systems Limited is a Company incorporated on 04.03.2008 under the provisions of erstwhile Companies Act, 1956 with CIN L37200DL2008PLC174911 having its registered office at A-1/51, LGF, Safdarjung Enclave, New Delhi - 110029, which is within the jurisdiction of this Tribunal. The Authorized Share Capital of the Respondent Company is Rs.12,00,00,000/- and Paid-up Share Capital is Rs.10,06,48,660/- as per the master data annexed with the Petition.

3. On perusal of the record, it is seen that the Applicant has not mentioned the date of default in Part IV of its application. Hence, the Applicant is directed to file the fresh Part IV by clearly indicating the date of default in respect of the debt claimed.



4. Further, it is observed that the Applicant Company, which is neither a Bank nor has claimed to be an NBFC, has granted working capital loan to the Respondent. Accordingly, we direct the Applicant to place on record the complete documents in support of its eligibility to advance loan in terms of Section 186 of the Companies Act, 2013. The Applicant is also directed to file its audited balance sheets and annual returns in Form MGT-7 for the financial year 2017-18 and 2018-19 along with a statement of calculation of its paid-up share capital, free reserves and security premium account in the aforesaid years.

5. Let the compliance affidavit be filed by the Applicant within 7 days from today.

6. The matter is accordingly de-reserved. List the matter on 06.02.2023.

Sd/-  
**(L. N. GUPTA)**  
**MEMBER (T)**

Sd/-  
**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**