



SL. No.7

**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH
COURT HALL NO: II**

Hearing Through: VC and Physical (Hybrid) Mode

**CORAM: SHRI. RAJEEV BHARDWAJ – HON'BLE MEMBER (J)
CORAM: SHRI. SANJAY PURI - HON'BLE MEMBER (T)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
HYDERABAD BENCH, HELD ON 22.04.2025 at 10:30 AM**

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	IA (IBC)/626/2025 in Company Petition IB /102/2022
NAME OF THE COMPANY	Kling Enterprises India Limited
NAME OF THE PETITIONER(S)	
NAME OF THE RESPONDENT(S)	
UNDER SECTION	10 OF IBC

ORDER

IA (IBC)/626/2025

Orders pronounced, recorded vide separate sheets. In the result, liquidation process is closed.

Sd/-
MEMBER (T)

Sd/-
MEMBER (J)



**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH - II, HYDERABAD**

**IA No.626 of 2025 in
IA No.1772 of 2023 in
CB(IB) No.102/10/HDB/2022**

*Interlocutory Application for closure of liquidation process
as per Regulation 45(3)(a) of the Insolvency and Bankruptcy
Board of India (Liquidation Process) Regulation, 2016*

In the matter of M/s.Kling Enterprises India Limited :

Mr.Venkat Reddy Bathina,
Liquidator of M/s.Kling Enterprises India Limited,
Flat No.406 & 407, 4th Floor,
MGR Estates, Dwarakapuri Colony,
Punjagutta, Hyderabad – 500 082,
India.

...Applicant/Liquidator

Date of Order: 22.04.2025

Coram:

Sri Rajeev Bhardwaj, Hon'ble Member (Judicial)
Sri Sanjay Puri, Hon'ble Member (Technical)

Counsel/Parties present:

For the Applicant : Learned PCS Mr.Shaik Gouse and
Mr.Mahadev Tirunagari, Ld PCS

P e r : B e n c h

ORDER

1. The present application is filed by the Liquidator seeking order for closure of the Liquidation process as per Regulation 45(3) (a) of Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016.



2. The facts of the case briefly are as follows:
- a) It is submitted that M/s.Kling Enterprises India Limited (Corporate Debtor/CD) has filed an application under Section 10 of IBC, 2016, which was admitted by this Authority vide orders in CP (IB) No.102/HDB/2022 on 27th October 2022 wherein, Mr.Venka Reddy Bathina was appointed as Interim Resolution Professional.
(Copy of the admission order of Corporate Debtor into CIRP is at Annexure-1).
 - b) As per Section 22 of Insolvency and Bankruptcy Code, 2016, the CoC in its 1st meeting resolved to appoint Mr.Venka Reddy Bathina, Interim Resolution Professional as Resolution Professional.
(Copy of minutes of 1st CoC is at Annexure-2).
 - c) On issue of Request for Resolution Plan, Resolution Professional has received two Resolution Plans which were placed before the CoC for their approval in its 8th Meeting. However, CoC has not approved either of the Resolution Plans.
 - d) As per Regulation 39(3B) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (CIRP Regulations, 2016), the resolution plan was once again placed before the CoC by the Resolution Professional in order to receive the requisite majority of votes (66% approving the resolution plan) as required under IBC Provisions.
 - e) It is submitted that even in the second opening of e-voting window, the resolution plan did not receive the requisite majority and accordingly the



resolution professional was obligated to make an application for commencement of liquidation of the Corporate Debtor.

- f) It is submitted that considering the situation of the Corporate Debtor, Resolution Professional filed an application before this Authority for commencement of Liquidation process of Corporate Debtor which was approved vide orders in IA No. 1772 of 2023 in CP (IB) No. 102/10/HDB/2022 and appointed Mr.Venka Reddy Bathina as Liquidator. **(Copy of order of Liquidation is at Annexure-3).**
- g) The applicant on being appointed as Liquidator and on receipt of order of this Authority on 3rd February 2024, made public announcement in Form B inviting claims from the stakeholders. On receipt of claims from the Stakeholders, Stakeholders Consultation Committee (SCC) was constituted and report was submitted to the Adjudicating Authority on 18th April 2024.
- h) The Applicant submitted the Preliminary Report under Regulation 13 of Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016 on 18th April 2024 and First Progress Report for the 1st Quarter ending 31 March 2024 on 15 April 2024 as per Regulation 15 of Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016.
- i) The applicant submitted the 2nd Quarter Progress Report ending on 30th June, 2024, 3rd Quarter Progress Report ending on 30th September, 2024 and 4th Quarter Progress Reports ending on 31 December 2024 as per



Regulation 15 of Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016.

3. The Applicant in accordance with Regulation 34 of IBBI (Liquidation Process) Regulations, 2016 prepared the Asset Memorandum and submitted the same to Adjudicating Authority on 18th April 2024.
(Copy of Asset Memorandum is at Annexure-4).
4. On preparation of the Asset Memorandum, a Public Announcement for e-Auction of the Assets of the CD was issued on 23 December 2024 inviting the eligible persons to submit their bid application to participate in the e-Auction and only one bid application was received along with EMD for the Sale of Corporate Debtor as a going concern basis.
(Copy of Public Announcement given for e-Auction dated 23 December 2024 is at Annexure-5).
5. It is submitted that as per Public Announcement, the e-Auction was conducted through e-auction portal <https://baanknet.com/eauction-psb> on 24th January 2025 for which a single and final bid of Rs.23,00,000/- was received from Smt.Shirisha Rani Singhu, as against the reserve price of Rs.22,00,000/-. A Letter of Intent was issued to her which was unconditionally accepted by her.
(Copy of the e-auction report submitted through e-auction portal and Letter of Intent are at Annexure - 6 and Annexure 7 respectively).
6. As the Liquidation period was scheduled to end on 31st January, 2025 and the process of receiving the final sale consideration from the successful participant in the e-auction and distribution of the same to the stakeholders will take time, there was a possibility of not completing the Liquidation



process by 31st January, 2025 (last date for completion of liquidation process). Hence, the Liquidator briefed the Stakeholder Consultation Committee on 28th January, 2025 and a resolution passed to authorize the Applicant to request the Adjudicating Authority for extension of liquidation period by 3 months to complete the liquidation process.

(Copy of minutes of the Stakeholders Consultation Committee meeting held on 28 January 2025 with respect to extension of Liquidation Period is at Annexure – 8).

7. On obtaining the approval from the members of SCC, the applicant filed an Interlocutory Application No.278/2025 with the Adjudicating Authority praying for extension of the liquidation period by another 3 months. The Adjudicating Authority on 5th February 2025 allowed the application and granted extension of liquidation period till 3rd April 2025.

(Copy of order of the Adjudicating Authority granting extension of liquidation period is at Annexure-9).

8. It is submitted that the successful lone bidder paid the full sale consideration of Rs.23,00,000/- into the Liquidation Account and the same was distributed to the stakeholders in terms of Section 53 of the IBC Code

(Copy of the Bank Statement of Liquidation Account evidencing the receipt of funds and statement of distribution of the proceeds to the stakeholders including the outstanding CIRP cost, Liquidation cost are enclosed at Annexure – 10 and Annexure-11 respectively.)

9. The audit of Receipts and Payments of the Liquidation Account of the CD was carried out and Audit Report from Independent Chartered Accountant appointed by the applicant was submitted to the Liquidator.

(Copy of Audit Report along with statement of Receipts and Payments of Liquidation Account of the CD is at Annexure-12.)



10. It is submitted that the applicant has filed four (4) progress reports since the commencement of the Liquidation of the CD and final report along with compliance certificate in Form-H was filed as per Regulation 45 of the IBBI (Liquidation Process Regulations) 2016 on 26th March 2025 by way of an Interlocutory Application (IA No.1772 of 2023).

(Copy of the Final Report and Compliance Certificate in Form-H filed with AA are at Annexure-13.)

11. It is submitted that the applicant paid all the outstanding expenses relating to the CIRP, Liquidation expenses of the CD and distributed the balance amount to the stakeholders under Section 53 of the IBC. On distribution of the sale proceeds, the Liquidator handed over the business of the CD to the successful bidder bringing the liquidation process to a close.

12. Therefore, the present application is filed before this Hon'ble Tribunal to seek orders for dissolution of the Corporate Debtor under Section 54 of the Code as the affairs of the Corporate Debtor have been completely wound up and its assets have been completely liquidated.

13. The Applicant declares that the matter regarding this Application/Petition is not pending before any Tribunal of law or any other authority.

O R D E R

14. We have perused the contents of the application and heard the learned PCS appearing for the Liquidator. We are satisfied that the liquidation process is completed as per the procedure laid-down under IBC, 2016 and hence the dissolution as requested by the Liquidator is allowed and the Corporate Debtor shall stand dissolved.

15. In the result, the Petition is allowed and Corporate Person shall stand dissolved from the date of this order. In exercise of the powers conferred on the Adjudicating Authority under Section 59 (7) of the Code, we hereby allow the Company Petition with the following directions:
- a) The Corporate Person, **M/s.Kling Enterprises India Limited** is hereby dissolved, with immediate effect and discharge the Liquidator from his responsibilities.
 - b) The Liquidator is directed to forward a copy of this order within a period of 14 days from the date of this order to the Registrar of Companies, Hyderabad, Telangana for making appropriate remarks for the Corporate Person on MCA website and Insolvency & Bankruptcy Board of India.
 - c) The Liquidator is also directed to forward copies of this order to all the Statutory Authorities connected with the affairs of the Corporate Person.
 - d) The Liquidator is further directed to preserve a physical or electronic copy of reports, registers, books of accounts referred to in Regulations 8 and 10 for at least 8 years after the dissolution of the Corporate Person, either with himself or with the information utility.
16. Accordingly, this **IA No.626 of 2025 in IA No.1772 of 2023 in C.P.(IB) No.102/10/HDB /2022 is allowed and disposed of.**

Sd/-
SANJAY PURI
MEMBER (TECHNICAL)

Vinod

Sd/-
RAJEEV BHARDWAJ
MEMBER (JUDICIAL)