



**IN THE NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH (Court -I)  
KOLKATA**

**IA(IBC)/1053(KB)2022  
in  
CP(IB)/07(KB)2018**

*Under section 33 of the Insolvency & Bankruptcy Code, 2016*

*In the matter of:*

Exclusive Engineers Private Limited  
(CIN: U74210WB1981PTC033555)

.... Corporate Applicant

*And*

*In the matter of:*

Mr. Manoj Kulshrestha,  
Resolution Professional of Exclusive Engineers Private Limited

... Applicant

**Order reserved on: 21/04/2023**

*Coram:*

<b>Shri Rohit Kapoor</b>	<b>:</b>	<b>Member (Judicial)</b>
<b>Shri Balraj Joshi</b>	<b>:</b>	<b>Member (Technical)</b>

*Appearances (through hybrid mode):*

For RP	:	Mr. Rishav Banerjee, Adv. Mr. Soumava Mukherjee, Adv. Mr. Manoj Kulshrestha, Liq. In person
For OC (AGE, NAVY, Chennai)	:	Mr. Shiv Chandra Prasad, Adv.

**FOR CLARIFICATION**

1. IA(IBC)/1053(KB)2022 is an application filed by the RP praying for liquidation of the corporate applicant.



2. Exclusive Engineers Private Limited, Corporate Applicant, has been admitted under CIRP *vide* order dated 21/11/2019 in CP(IB)/07(KB)2018 passed by this Adjudicating Authority. CoC was duly constituted with two Operational Creditors, i.e., (1) Union of India through Chief Engineer Navy, Vishakhapatnam (99.05%) and (2) The Commissioner of Commercial Tax, Government of West Bengal (0.95%).
3. It is stated in the application that Corporate Applicant has neither any assets nor any cooperation from the suspended members of the Board of Directors of the Corporate Applicant and no funds have been provided even by the CoC members for meeting the CIRP cost. Therefore, in the event of liquidation order is passed, who is going to bear the cost of liquidation?
4. List the matter on **02/08/2023**.

**Balraj Joshi**  
**Member (Technical)**

**Rohit Kapoor**  
**Member (Judicial)**

Signed on this, the 1<sup>st</sup> day of August, 2023.

hb.