



IN THE NATIONAL COMPANY LAW TRIBUNAL,  
DIVISIONAL BENCH – I, CHENNAI

IA (IBC)/180(CHE)/2021 in MA 728/2019 in CP/1176/(IB)/CB/2018

*(Filed under Section 54 of the Insolvency and Bankruptcy Code, 2016)*

*In the matter of Ramkar Steel Re-Rolling Private Limited*

**J.Karthiga**

Liquidator of Ramkar Steel Re-Rolling Private Limited

No.1, 41<sup>st</sup> Street,

Korattur, Chennai -600080

*... Applicant*

*Order Pronounced on 12<sup>th</sup> October 2023*

CORAM

SANJIV JAIN, MEMBER (JUDICIAL)

VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

*For Applicant: A.G.Sathyanarayana, Advocate*

**ORDER**

*(Hearing Conducted through VC)*

**Per: VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)**

This Application IA(IBC)/180(CHE)/2021, has been filed under Section 54 of the Insolvency and Bankruptcy Code, 2016 by the liquidator of the Corporate Debtor herein seeking for an order for Dissolution of the Corporate Debtor viz.,**RAMKAR STEEL RE-ROLLING PRIVATE LIMITED.**



2. CIRP of the Corporate Debtor was initiated by this Tribunal vide order dated 06.02.2019 and the Applicant herein was appointed as IRP and thereafter as RP.

3. In the fourth Committee of Creditors meeting held on 27.06.2019, it was resolved that the Corporate Debtor be liquidated as the Corporate Debtor was not earning much and no eligible Prospective Resolution Applicant was interested to propose a Resolution Plan. Thereafter, the Liquidation of the Corporate Debtor was ordered by this Tribunal on 25.07.2019 in MA 728/2019 and the Applicant herein was appointed as the Liquidator.

4. Pursuant to the order of Liquidation, the Applicant caused the Public Announcement on 30.07.2019 by inviting claims from the stakeholders. Indian Bank, the financial creditor filed its claim, being the sole Stake holder who had submitted the claim.

5. It is stated as per the Asset Memorandum listed in pages 29 and 30 of the typeset, the Corporate Debtor had only Plant and Machineries with liquidation value of Rs.24,66,500/- Public notice for E-Auction was caused in 'New Indian Express' and 'Dinamani' papers on 23.10.2019.



E-Auction was conducted on 23.11.2019 with Reserve Price of Rs.26 lakhs. There were five bidders and M/s Arihant Enterprise quoting Rs.33 lakhs was declared as Successful bidder. It is stated that on receipt of entire sales consideration as per tender terms, Liquidator issued the Sales Certificate dated 28.11.2019 to M/s. Arihant Enterprise. Asset Sale Report was filed before Tribunal on 05.12.2019.

6. It is stated that one Current Account bearing Account No 6819576991 was opened with Indian Bank, Trichy Branch for the liquidation and all the receipts and payments of the Corporate Debtor under liquidation have been routed through this account. CIRP & Liquidation cost of Rs.2,89,700 along with full and final settlement of sole financial creditor for Rs.30,10,300/- were made on 30.11.2019. After distribution of entire sales proceeds, the liquidation account was closed on 07.03.2020.

7. The details of the relevant compliances as mandated under Section 54 of the IBC, 2016 read with the IBBI (Liquidation Process) Regulations, 2016 are listed hereunder:-



S. NO	COMPLIANCE	AVERMENTS	PAGE NO. IN THE APPLICATION
1	Regulation 12	Public Announcement in Form B in Business Standard in English dated 30.07.2019	18-19
2	Regulation 35(2)	Appointment of Registered Valuers where no valuation conducted during CIRP	For Plant & Machinery only on 05.04.2019 during CIRP period
3	Regulation 31(2)	List of Stakeholders within 45 days of the Liquidation Commencement Date 29.10.2019	31
4	Regulation 31A	Constitution of Stakeholders Consultation Committee (SCC) .	N.A.
5	Regulation 13	Preliminary Report dated 29.10.2019	20-28
6	Regulation 34	Preparation of Asset Memorandum dated 29.10.2019	29-31
7	Regulation 41	Opening of Bank Account in the name of the company in Liquidation in Indian Bank ,Trichy	42
8		Proof of Closure of the above Bank Account and other account in the name of the Company	42
9	Regulation 15	Quarterly Progress Reports and proof of filing the same before this Tribunal	29.10.2019, 17.01.2020
10	Regulation 36	Asset Sale Reports after sale of Reports 05.12.2019	36-41
11	Regulation 42(2)	Proof of Distribution within Ninety days from the receipt of realization	42
12	Regulation 45 (3)	Final report dated 26.12.2020	43-47
13	Regulation 5 (1) (e)	Compilation of Minutes of SCC	N.A
14	Regulation 15	Audited Accounts of receipts and Payments	SR 6414 0n 07.01.22 ## verify
15	Regulation 37	Completion of Liquidation Process within one year from Liquidation Commencement Date	Yes
16		Form-H dated 11.08.2020	48-52



8. It is seen from the Form-H that the Applicant / Liquidator has not filed any Application Sections 43, 45, 50 and Section 66 of IBC, 2016.

9. As per the Synopsis e-filed by the applicant on 31.03.2023, the details of realization of assets is as under:

SL No	Assets	Mode of sale	Estimated Liquidation Value Rs.	Realized amount Rs.
1	Movable Properties- Plant and Machineries	E-auction dated 23.11.2019	24,66,500	33,00,000
	Total		24,66,500	33,00,000

10. The amounts distributed to stakeholders as per Section 52 and 53 of the code has been reproduced hereunder:



## 19. DISTRIBUTION:

(Amount in Rs.)

Sl. No.	Stakeholders* under Section 52 and 53(1)	Amount Claimed	Amount Admitted	Amount Distributed	Amount Distributed to the Amount Claimed(%)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Realization of Security Interest	NA	NA	NA	NA	NA
2	Liquidation Cost [Sec.53(1)(a)]	1,89,700	1,89,700	1,89,700	100%	NA
3	Workmen's Dues [Sec.53(1)(b)(i)]	NA	NA	NA	NA	NA
4	Debts of Secured Creditors [Sec.53(1)(b)(ii)]	62,80,622.18	62,80,622.18	30,10,300	47.93%	NA
5	Wages and Unpaid Dues to Employees [Sec. 53(1)(c)]	NA	NA	NA	NA	NA
6	Debts of Unsecured Financial Creditors [Sec.53(1)(d)]	NA	NA	NA	NA	NA
7	Government Dues + Amount Unpaid following Enforcement of Security Interest [Sec.53(1)(e)]	NA	NA	NA	NA	NA
8	Any remaining Debts and Dues [Sec.53(1)(f)]	NA	NA	NA	NA	NA
9	Preference Shareholders [Sec.53(1)(g)]	NA	NA	NA	NA	NA
10	Equity Shareholders [Sec.53(1)(h)]	NA	NA	NA	NA	NA

11	CIRP cost	1,00,000	1,00,000	1,00,000	100%	NA
12	Priority payment U/s 36 (4)(a)(iii)	NA	NA	NA	NA	NA
<b>Total</b>		65,70,322.18	65,70,322.18	33,00,000	50.23%	NA



11. Section 54 of the IBC, 2016 provides as follows: -

Section 54

*“(1) Where the assets of the corporate debtor have been completely liquidated, the liquidator shall make an application to the Adjudicating Authority for the dissolution of such corporate debtor.*

*(2) The Adjudicating Authority shall on application filed by the liquidator under sub-section (1) order that the corporate debtor shall be dissolved from the date of that order and the corporate debtor shall be dissolved accordingly.*

*(3) A copy of an order under sub-section (2) shall within seven days from the date of such order, be forwarded to the authority with which the corporate debtor is registered.”*

12. From the averments made in the Application along with the perusal of the final report and the Compliance Certificate filed in Form-H by the Applicant, it is seen that the Corporate Debtor has been completely liquidated. In the circumstances as averred and as prayed for by the Applicant, an order for dissolution is required to be passed by this Tribunal under Section 54 of the IBC, 2016. Accordingly, we hereby order for the dissolution of the Corporate Debtor viz., **Ramkar Steel Re-rolling Private Limited**. The Liquidator is directed to forward the copy of this Order to the RoC concerned and also to the IBBI for its records within a period of 7 days from the date of this Order.



13. In terms of the above, this IA (IBC) 180/CHE/2021 is disposed of and consequently the Company Petition bearing 1176/IB/2018 also stand disposed of.

- Sd -

VENKATARAMAN SUBRAMANIAM  
MEMBER (TECHNICAL)

- Sd -

SANJIV JAIN  
MEMBER (JUDICIAL)