

**NATIONAL COMPANY LAW TRIBUNAL
AMARAVATI BENCH
(Video Conference)**

PRESENT: JUSTICE TELAPROLU RAJANI – MEMBER JUDICIAL

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 01.02.2022 AT 10.30 AM

TC/CP. Nos.	CA/IA No.	Section/ Rule	Name of Parties
TCP(IB) No.36/9/AMR/2020		9 of IBC	DRM Prasad Rao Vs Confro Agro Ltd

Counsel for Petitioner(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

Counsel for Respondent(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

ORDER

TCP(IB) No.36/9/AMR/2020 is admitted, vide separate orders.

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**JUSTICE TELAPROLU RAJANI
MEMBER JUDICIAL**

**NATIONAL COMPANY LAW TRIBUNAL
AMARAVATI BENCH AT HYDERABAD**

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CP (IB) No. 36/9/AMR/2020

**In the matter of a Petition under Section 9 of the Insolvency and
Bankruptcy Code, 2016 Read with Rule 6 of the Insolvency and
Bankruptcy (Application to Adjudicating Authority) Rules, 2016
AND**

**In the matter of
M/s. CONFRO AGROS LTD**

Between:

M/s. DRM Prasada Rao,
504, DBV Raju Enclave,
AV Appa Rao Road,
Venkateshwara Nagar, Rajahmahendravaram,
East Godavari District, AP

... Operational Creditor

AND

M/s. Confro Agros Ltd,
N0, Buildings Centre,
Bhaskarnagar, Kakinada-3,
East Godavari District, AP-533003

... Corporate Debtor

Date of pronouncement of orders: 01.02.2022

CORAM:

Justice Telaprolu Rajani, Member Judicial.

Appearance:

For Operational Creditor : Mr. V.Venkata Rami Reddy &
Mr.M.Parameswara Reddy, Advocates.
For Corporate Debtor : Mrs. C.Shilpa, Advocate.

ORDER

1. This Petition is filed by M/s. DRM Prasada Rao, ("hereinafter referred to as Operational Creditor") seeking initiation of Corporate Insolvency Resolution Process in respect of M/s. Confro Agros Ltd

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("hereinafter referred to as Corporate Debtor") alleging that the Corporate Debtor committed default in making payment of Rs.3,16,565/- towards Professional fee for liasoning with the departments and institutions for the financial year2017-18. Hence petition filed under Section 9 of Insolvency and Bankruptcy Code, 2016 (referred to as "Code") read with Rule 6 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 seeking admission of the Petition, initiation of Corporate Insolvency Resolution Process (CIRP), granting moratorium and appointment of Insolvency Resolution Professional (IRP) as prescribed under the Code and Rules thereon.

2. The learned Counsel for the Operational Creditor submits that Operational Creditor is a professional and the Corporate Debtor is a Limited Company incorporated under Companies Act, 1956 and used to avail professional services of Operational Creditor.
3. The Operational Creditor issued demand notice dated 16.11.2018 to the Corporate Debtor. But the Corporate Debtor did not issue any reply to the said demand notice. The Corporate Debtor has admitted the debt in its counter. On the basis of the above submissions, the learned counsel appearing for the Operational Creditor seeks this Tribunal to admit the Company Petition.
4. The Counsel appearing for the Corporate Debtor does not deny the fact that the amount claimed by the Operational Creditor is due. Counsel for the Operational Creditor submits that though the Corporate Debtor took time on earlier occasions stating that they would settle the matter, it could not be done. The Counsel appearing for the Corporate Debtor submits that the Corporate

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Debtor is not in a position to discharge the amount due to the Operational Creditor and agreed for the CIRP to be initiated.

5. Hence I am of the considered view that it is a fit case to admit and order initiation of Corporate Insolvency Resolution Process (CIRP) against the Corporate Debtor. The Operational Creditor suggest one Mr. Bala Subrahmanya Siva Prasad Varanasi as Insolvency Resolution Professional (IRP). Hence, Mr. Bala Subrahmanya Siva Prasad Varanasi, (Registration No. IBBI/IPA-002/IP-N00881/2019 -2020/12775) as Insolvency Resolution Professional (IRP).

ORDER

The Company Petition is admitted. The Corporate Insolvency Resolution Process of the Corporate Debtor shall commence from this date and shall be completed within 180 days hence.

- i. Mr. Bala Subrahmanya Siva Prasad Varanasi, (Registration No. IBBI/IPA-002/IP-N00881/2019 -2020/12775), having office at 3-4-695, Flat No.303, Surabhi Court, Vithalwadi, Himayatnagar, Hyderabad, Telangana-500029, MOBILE: 9849734349; e-mail: **vbssprasad@gmail.com** is appointed as the Interim Resolution Professional. No disciplinary proceeding is pending against him as per the IBBI website.
- ii. He is directed to take charge of the Corporate Debtor's management forthwith and take necessary steps in furtherance of the CIRP in terms of Sections 13(2), 15, 17, 18 and 20 of Code and Rules made thereunder.
- iii. Moratorium in respect of the Corporate Debtor is hereby declared in terms of Section 14 of the Code.

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- iv. The Directors, Promoters or any other person(s) associated with the management of Corporate Debtor shall extend all assistance and cooperation to the IRP as stipulated under section 19 of the Code for effectively discharging his functions under the Code.
- v. The Registry shall communicate the order to the Operational Creditor and the Corporate Debtor forthwith.
- vi. The Operational Creditor and the Registry shall send the copy of this order to IRP for necessary compliance.

T. Naidu
**JUSTICE TELAPROLU RAJANI
MEMBER JUDICIAL**

Swamy Naidu