



S.No.3

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
02-05-2024 AT 10:30 AM**

**Company Petition IB/255/2021
AND
IA (IBC) 1356, 868, 1523 & Rst App (IBC) 5/2024 in IA 140/2024 in IA
1523/2023 in Company Petition IB/255/2021
u/s. 7 of IBC, 2016**

IN THE MATTER OF:

India Resurgence ARC Private Limited

...Financial Creditor

AND

Master Weaver Ethnics India Private Limited

...Corporate Debtor

C O R A M:-

**DR. VENKATA RAMAKRISHNA BADARINATH NANDULA, HON'BLE MEMBER (JUDICIAL)
SH. CHARAN SINGH, HON'BLE MEMBER (TECHNICAL)**

O R D E R

IA (IBC) 1356/2024

Orders pronounced. In the result, the Company i.e. M/s Master Weaver Ethnics India Private Limited is **hereby dissolved** as per the terms mentioned in the order and the Liquidator stands discharged.

IA (IBC) 868/2024

Orders pronounced. In the result, **this application is dismissed and disposed of.**
No costs.

IA (IBC) 1523/2024

Orders pronounced. In the result, **this application is dismissed and disposed of.**
No costs.

Rst App (IBC) 5/2024 in IA 140/2024 in IA 1523/2023

Since orders passed in IA No 1523/2024, this Rst. App (IBC) becomes infructuous. Accordingly, **this Rst. App (IBC) 5/2024 disposed of as infructuous.**

Sd/-

MEMBER (T)

Sd/-

MEMBER (J)



**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH-I**

I.A.1356 OF 2023
in
CP(IB) No. 255/7/HDB/2021

(Under section 54 of the Insolvency and Bankruptcy Code, 2016)

**IN THE MATTER OF M/S. MASTER WEAVER ETHNICS INDIA
PRIVATE LIMITED**

Mr. Malireddy Ramana Reddy,
Liquidator M/s Master Weaver Ethnics India Prvt ltd.
Reg No: IBBI/IPA-003/IP-N-00308/2020-2021/13452,
Flat no. 202, H.no.8-3-191/155(16/A),
Vengal Rao Nagar, Hyderabad-500038.

...Applicant/Liquidator

Date of order: 02.05.2024

Coram:

Dr. Venkata Ramakrishna Badarinath Nandula, Hon'ble Member (Judicial)

Shri Charan Singh, Hon'ble Member (Technical)

Appearance:

For the Liquidator: Shri Maharshi Vishwaraj, Advocate

Liquidator: Shri Malireddy Ramana Reddy



**PRE: BENCH
ORDER**

1. This Application is filed by the Liquidator of the Corporate Debtor under Section 54(2) of the Insolvency and Bankruptcy Code, 2016 r/w Regulation 14 and 45 of IBBI (Liquidation Process) Regulations, 2016 for *passing Dissolution Order* of M/s Master Weaver Ethnic India Private Limited by this Hon'ble Adjudicating Authority and prays for *discharging the applicant as Liquidator of the Corporate Debtor*.
2. That in the instant matter, Hon'ble Tribunal vide Order Dated 04.04.2022 in CP (IB) No 255/7/HDB/2021 Admitted the petition under Section 7 of insolvency and Bankruptcy Code, 2016 filed by the M/s India Resurgence ARC Private Limited, Financial Creditor and initiated Corporate Insolvency Resolution Process against Corporate Debtor and appointed the Applicant herein as Interim Resolution Professional.
3. It is submitted that the Applicant/RP issued Public Announcement in FORM-A on 10.04.2022 as per Section 15 of Insolvency and Bankruptcy Code, 2016 Read with Regulation 6 of IBBI (Insolvency



Resolution Process for Corporate Persons) Regulations, 2016 in Financial Express English Daily News Paper and Nava Telangana Daily News Paper as the last date for submission of claims as 23.04.2022 and Resolution Professional has received one claim from Operational Creditors the Applicant admitted the claim Operational Creditor ESIC for an amount of rs.7,08,002 with 100% voting and Resolution professional constituted COC.

4. It is submitted that the applicant conducted First CoC Meeting on 12.05.2022 in the said Meeting the Applicant was confirmed as a Resolution Professional in terms of Section 22(3) (a) of the Insolvency and Bankruptcy Code, 2016 and the same was communicated to this Hon'ble Tribunal.
5. It is submitted that the Committee of Creditors in its to meeting held on 17.12.2022, after elaborately examining the possibility of reviving the Corporate Debtor came to the conclusion that there is no possibility of revival of the Corporate Debtor and COC with 92.08% voting resolved to liquidate the Company and to appoint the Resolution Professional/Applicant as Liquidator.



6. It is submitted that this Hon'ble Tribunal vide Order Dated: 22.05.2023 in IA (IB) 169/2023 in CP (IB) No.255/7/HDB/2021 passed an order for Liquidation and appointed Mr. M Ramana Reddy as Liquidator.
7. It is submitted that the Liquidator in accordance with Regulation 12 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016 has issued Public Announcement Dated: 31.05.2023 in Financial Express English Daily News Paper and Nava Telangana Telugu Daily News Paper calling upon the stakeholders to submit their claims and received two claims from Employee State Insurance Corporation for Rs.7,08,002 and Aditya Birla Finance Limited for Ra:51,21,579.66/-.
8. It is submitted that the Liquidator in accordance with Regulation 13 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016 has prepared Preliminary Report and List of Stakeholders and called the first meeting of the Stakeholders Consultation Committee on 26.06.2023 wherein the Preliminary Report submitted by the applicant was placed before the Committee The Stakeholders Consultation Committee, after elaborately examining the possibility of realizing proceeds from the assets of the



Corporate Debtor, came to the conclusion that as there are no valuable assets of the Corporate Debtor, the applicant shall initiate for the dissolution of the Corporate Debtor and with 100% voting resolved to dissolve the Company and passed Resolution.

9. That the final report as per Regulation 45 of the IBBI Liquidation Process Regulations, 2016 is submitted by the Liquidator on 27.06.2023 and enclosed along with this Application at pg.41.

10.It is submitted that as per Regulation 45(3) of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016 while applying for Dissolution of the Corporate Debtor the Liquidator required submitting Compliance Certificate (Form-H) and enclosed the same in pg.38 of the interim application.

11.In the light of above facts and circumstances of the case, the only point that emerges for consideration of the Tribunal is :-

Whether the Corporate Debtor can be dissolved?

12.We have heard the submissions made by the Applicant, perused the Application filed by the Liquidator and have gone through the documents on record filed by the applicant. Here, it is worthwhile



referring to Section 54 of IBC, 2016 and Regulation 45 IBBI (Liquidation Process) Regulations, 2016:

“Section 54 IBC-Dissolution of corporate debtor.

(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.”

“IBBI (Liquidation Process) Regulations, 2016

45. Final report prior to dissolution.

(1) When the corporate debtor is liquidated, the liquidator shall make an account of the liquidation, showing how it has been conducted and how the corporate debtor’s assets have been liquidated.

(2) If the liquidation cost exceeds the estimated liquidation cost provided in the Preliminary Report, the liquidator shall explain the reasons for the same.

(3) The liquidator shall submit an application along with the final report and the compliance certificate in Form H to the Adjudicating Authority for –

(a) closure of the liquidation process of the corporate debtor where the corporate debtor is sold as a going concern; or

(b) for the dissolution of the corporate debtor, in cases not covered under clause (a).”

13. We are satisfied that the criteria laid down under law has been fully complied with in this case. As such, the Corporate Debtor can be ordered to be dissolved. Hence, we hereby order dissolution of the Corporate Debtor as under: -



- a. The Corporate Debtor M/s Master Weaver Ethnic India Private Limited stands dissolved from the date of this Order, in terms of Section 54(1) of IBC, 2016, and the Liquidator stands relieved.
- b. The Liquidator is directed to send the copy of this Order within 7 days from the date of pronouncement to the Registrar of Companies, Hyderabad.
- c. Upon dissolution of the Corporate Debtor, the records of the Company which are in possession of the Liquidator, be handed over by the Liquidator to the IBBI.
- d. The Registry is also directed to communicate this order to the Registrar of Companies, Hyderabad for updating the master data.
- e. A copy of this order be also forwarded to the Insolvency & Bankruptcy Board of India, New Delhi.
- f. In terms of the above, IA (IBC) 1356 of 2023 filed by the Liquidator appointed for M/s Master Weaver Ethnic India Pvt Ltd (Corporate Debtor) for dissolution of the Company under



Section 54 (1) of IBC, 2016 stands disposed of accordingly. Since the Corporate Debtor stood dissolved vide this order and no proceedings are now pending, therefore, the Registry is directed to consign the file to records.

SD

Charan Singh
Member (Technical)

SD

Dr.Venkata Ramakrishna Badarinath Nandula
Member (Judicial)

Chennu Bhargavi/pavani