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

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **13.07.2026** THROUGH VIDEO CONFERENCING

CORAM: **HON'BLE SHRI. SANJIV JAIN, MEMBER (JUDICIAL)**
HON'BLE SHRI. VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

IN THE MATTER OF **:** Sagaa Traders
Vs
Srinithi Enterprises Pvt. Ltd.

MAIN PETITION NUMBER **:** CP(IB)/261/CHE/2024

(IA/MA) APPLICATION NUMBERS

IA(IBC)/2080(CHE)/2025, IA(IBC)/979/(CHE)2026, IA(IBC)/982/(CHE)2026

COMMON ORDER

IA(IBC)/2080(CHE)/2025

Present: Shri. T. Jayasankar, Ld. Counsel for the Applicant/RP.

Ms. Vidya, Ld. Counsel for HDFC Bank Ltd./R1 along with Shri. Francy Raju and Shri. Surender. S.

Ld. Counsel for the Applicant states that Axis Bank has made the payment. Only HDFC Bank has to make payment.

It is seen from the proceedings that despite time taken number of times, HDFC Bank has not made the payments.

Today the officers appearing for HDFC Bank have given an undertaking in writing that the bank will make the payment within two days failing which, their salaries be attached and released after the payment to the Applicant.
Recording the submission, two days time is granted.

List the application on **17.07.2026.**

IA(IBC)/979/(CHE)2026
IA(IBC)/982/(CHE)2026

Present: Shri. T. Jayasankar, Ld. Counsel for the Applicant/RP.
Ms. Vidya, Ld. Counsel for the Respondent/HDFC Bank Ltd.

IA(IBC)/979/2026 has been filed for condonation of delay of 7 days in filing the application seeking extension of CIRP period beyond 420 days.

IA(IBC)982(CHE)/2026 has been filed seeking extension of the CIRP period by a further period of 90 days.

Ld. Counsel submits that the Corporate Debtor has land and building only. There are no activities in the Corporate Debtor. It was in the business of trade. CoC with 80% voting has resolved to seek extension as there is a possibility of resolution of the Corporate Debtor.

Heard and perused.

CIRP against the Corporate Debtor was initiated vide an order dated 04.04.2025. The Applicant was appointed as the IRP who with the approval of the CoC, continued as RP of the Corporate Debtor. He made the public announcement inviting the claims from the creditors fixing the last date for submission of claims as 27.04.2025. He found that the erstwhile Directors were not functioning in the premises at Virugambakkam, Chennai. Nothing was available. They were functioning from the Corporate Office at Odanchatram, Dindigul. He prepared the List of Financial Creditors (Secured and Unsecured), Operational Creditors and other creditors as detailed in para 8 of the application. The voting rights of the creditors in the CoC are tabulated as under:

SL No.	Name of Creditors	Amount Claimed/Admitted (in Rs.)	Voting Rights
1	HDFC Bank Limited	60,72,27,334/-	80.17%
2	Bank of Baroda	16,68,511/-	00.22%
3	AXIS Bank Limited	52,52,368/-	00.69%
4	OXYO Financial Services Private Limited, Haryana	8,96,79,672/-	11.84%
5	Samunnati Finance Private Limited	5,35,96,045/-	07.08%
Total		**75,74,24,089/-**	**100%**

The Applicant sought the books of account and records from the Promoter Directors, however, could not get the complete information. He conducted 12 CoCs on different dates which were also attended by the Suspended Directors. Despite agreeing to provide the information, they did not provide the requisite information as detailed in para 12 of the application. He noticed that erstwhile Directors were involved in fraudulent activities and siphoning of the funds. For want of information, he could not prepare Information Memorandum. He also found that there was one vehicle which was given to the legal counsel Mr. Bharath. He lodged a police complaint. Because of the continued non-cooperation, he filed an application under section 19(2) of IBC, 2016 calling upon the Directors to provide the requisite record/information. In the meantime, 180 days period came to an end. After the approval of the CoC, he filed an application for extension for a period of 90 days from 01.10.2025 to 31.12.2025 which was allowed vide an order dated 09.10.2025. He appointed the Valuer for the land and building, plant and machineries and securities/financial assets and received the valuation report. He issued the Form- G on 29.04.2026 fixing the last date for submission of resolution plans as 28.05.2026.

270 days period came to an end on 31.12.2025. The RP convened the CoC on 18.l2.2025 where it was resolved with 100% voting to seek further extension of 60 days beyond 270 days i.e. from 01.01.2026 to 01.03.2026 which the Tribunal granted vide an order dated 02.02.2026.

It is stated that the CoC deliberated on the requirement of further extension in the light of substantial pending work, unresolved litigations, pending recovery proceedings, valuation exercises, audit and reconciliation activities. The RP also filed an application seeking condonation of delay in filing the extension application beyond the period of 330 days upto 30.05.2026 which the Tribunal allowed and extended the time upto 30.05.2026. The RP issued Form G on 29.04.2026 fixing the last date for submission of resolution plans as 28.05.2026. 15 PRAs expressed their interest, but only 2 PRAs expressed their intention to submit the resolution plans. Till the last date, Form-G process did not culminate in receipt of any resolution plan. 12th CoC meeting was held on 29.05.2026 for deciding the future course of action. HDFC Bank Ltd. holding 80% of the voting share, expressed its inability to participate. The meeting was rescheduled on 01.06.2026 where RP presented the status. The CoC after deliberations, noticed that the CIRP could not be completed owing to the circumstances as explained above. The CoC with 80% voting, gave consent for further extension upto 28.08.2026 for again publication of Form G. In the meantime, Promoter Director, Mr. Anguraj Ramalingam expired.

The resolution of the CoC is reproduced as under:

> ***"TO CONSIDER AND APPROVE FILING OF AN APPLICATION BEFORE THE HON'BLE NCLT FOR EXTENSION OF CIRP FURTHER PERIOD BEYOND 420 DAYS.***

RESOLVED THAT *pursuant to Section 12(2) and 12(3) of the Insolvency and Bankruptcy Code, 2016, the members of the Committee of Creditors hereby approve the proposal to extend the period of Corporate Insolvency Resolution Process of M/s. Srinithi Enterprises Private Limited by a further period of 90 (Ninety) days beyond the period of 420 days, to enable the Resolution Professional to complete the ongoing resolution process.*

RESOLVED FURTHER THAT *Mr. Sanjeevi C, Resolution Professional, IBBI Registration No. IBBI.IPA-003/IP-NO00108/2017-18/11215, be and is hereby authorised to file an application before the Hon'ble National Company Law Tribunal, Chennai Bench, seeking extension of the CIRP period by 90 days beyond 420 days, and to do all such acts, deeds, matters, and things as may be necessary to give effect to this resolution."*

Section 12 of IBC provides the time-limit for completion of insolvency resolution process. It reads as under :

12. Time-limit for completion of insolvency resolution process.

(1) Subject to sub-section (2), the corporate insolvency resolution process shall be completed within a period of one hundred and eighty days from the date of admission of the application to initiate such process.

(2) The resolution professional shall file an application to the Adjudicating Authority to extend the period of the corporate insolvency resolution process beyond one hundred and eighty days, if instructed to do so by a resolution passed at a meeting of the committee of creditors by a vote of sixty-six percent of the voting shares.

(3) On receipt of an application under sub-section (2), if the Adjudicating Authority is satisfied that the subject matter of the case is such that corporate insolvency resolution process cannot be completed within one hundred and eighty days., it may by order extend the duration of such process beyond one hundred and eighty days by such further period as it thinks fit, but not exceeding ninety days:

Provided that any extension of the period of corporate insolvency resolution process under this section shall not be granted more than once:

[Provided further that the corporate insolvency resolution process shall mandatorily be completed within a period of three hundred and thirty days from the insolvency commencement date, including any extension of the period of corporate insolvency resolution process granted under this section and the time taken in legal proceedings in relation to such resolution process of the corporate debtor.

Provided also that where the insolvency resolution process of a corporate debtor is pending and has not been completed within the period referred to in the second proviso, such resolution process shall be completed within a period of ninety days from the date of commencement of the Insolvency and Bankruptcy Code (Amendment Act, 2019.]

Section 33 provides for initiation of liquidation. It provides that where the Tribunal before the expiry of CIRP for the maximum period permitted for completion of the CIRP under Section 12 does not receive a resolution plan under 30(6) of IBC, pass an order requiring the Corporate Debtor to be liquidated in the manner as laid down in the Chapter which includes passing of an order appointing a Liquidator for the liquidation process in accordance with Section 34.

In the present case, the CIRP timeline as provided under section 12 of IBC expired on 30.05.2026. Extension was given three times. Form G was issued once but it evoked no response from the PRAs as none submitted the resolution plan. The report of the RP shows that the Corporate Debtor is in the business of trading, it has only the land and building.

Having considered the above facts, though there is a resolution of the CoC seeking further extension but looking into the record, we find that even within the extended period, no resolution plan came. Further there is no possibility of the revival of the Corporate Debtor.

We therefore order for the liquidation of the Corporate Debtor declining the request for extension of the CIRP period. Delay in filing the application is however condoned.

The application IA(IBC)/982(CHE)/2026 is dismissed. We order for initiating liquidation process against the Corporate Debtor, Srinithi Enterprises Private Limited. We appoint **Mr. Ramakrishnan Sadasivan with IBBI Registration No. IBBI/IPA-001/IP-P00108/2017-2018/10215 (email ID: sadasivanr@gmail.com)** who AFA is valid till 31.12.2026 as the Liquidator of the Corporate Debtor to conduct the liquidation proceedings at the initial fee and expenses of **Rs.3,00,000/- (Rupees Three Lakhs only)** excluding GST and applicable taxes. SCC is directed to fix the fee of the Liquidator and cost of the liquidation in its 1st meeting. The Liquidator is directed to carry out the liquidation process subject to the following terms:

a) The Liquidator shall strictly act in accordance with the provisions of IBC, 2016 and the attendant Rules and Regulations including Insolvency and Bankruptcy (Liquidation Process) Regulations, 2017 as amended upto date enjoined upon him.

b) The Liquidator shall issue the public announcement that the Corporate Debtor is in liquidation. In relation to officers/ employees and workers of the Corporate Debtor, taking into consideration Section 33(7) of IBC, 2016, this order shall be deemed to be a notice of discharge.

c) The Liquidator shall investigate the financial affairs of the Corporate Debtor particularly, in relation to preferential transactions/ undervalued transactions and such other like transactions including fraudulent preferences and file suitable application before this Adjudicating Authority.

d) The Liquidator is directed to proceed with the process of liquidation in a manner laid down in Chapter III of Part II of the Insolvency and Bankruptcy Code, 2016.

e) The Liquidator is directed to investigate the financial affairs of the Corporate Debtor in terms of the provisions of Section – 35(1) of IBC, 2016 read with relevant rules and regulations and also file its response for disposal of any pending Company Applications during the process of liquidation.

f) The Liquidator shall submit a Preliminary report to this Tribunal within 75 (seventy-five) days from the liquidation commencement date as per regulation 13 of the Insolvency and Bankruptcy (Liquidation Process) Regulations, 2016. Further such other or further report as are required to be filed under the relevant Regulations, in addition, shall also be duly filed by him with this Adjudicating Authority.

The Registry is directed to communicate this order to the Registrar of Companies, concerned and to the Insolvency and Bankruptcy Board of India.

The order of Moratorium passed under Section 14 of the Insolvency and Bankruptcy Code, 2016 shall cease to have its effect and that a fresh Moratorium under section 33(5) of the Insolvency and Bankruptcy Code shall commence.

Copy of this order be sent to the financial creditors, Corporate Debtor and the Liquidator for taking necessary steps and for extending the necessary co-operation in relation to the Liquidation process of the Corporate Debtor.

As regards sale as a going concern in the liquidation process, by amendment in 2026, this process has been abandoned. Now the assets of the Corporate Applicant are to be liquidated.

In terms of the above, applications **IA(IBC)/979(CHE)/2026** & **IA(IBC)/982(CHE)/2026** stand **disposed of**.

Sd/-	**Sd/-**
[VENKATARAMAN SUBRAMANIAM]	**[SANJIV JAIN]**
MEMBER (TECHNICAL)	MEMBER (JUDICIAL)

VS

Date: 13.07.2026