NATIONAL COMPANY LAW TRIBUNAL
COURT ROOM NO. 1,
MUMBAI BENCH

Item No. 25

IA(IBC)(LIQ.)/ 21(MB)2026 in C.P. (IB)/476(MB)2025

CORAM:

SH. PRABHAT KUMAR — **HON'BLE MEMBER (TECHNICAL)**
SH. SUSHIL MAHADEORAO KOCHEY — **HON'BLE MEMBER (JUDICIAL)**

ORDER SHEET OF THE HEARING ON **16.04.2026**

NAME OF THE PARTIES: **IA(IBC)(LIQ.)/21(MB)2026 - Mr. Mukesh Khathuria Resolution Professional of Lily Jewellery Private Limited IN THE MATTER OF STATE BANK OF INDIA VS LILY JEWELLERY PRIVATE LIMITED**

Section 33(1) (b) (i) to (iii) r/w Sec 33(3) & 7 of the Insolvency and Bankruptcy Code, 2016

ORDER

IA(IBC)(LIQ.)/ 21(MB)2026 in C.P. (IB)/476(MB)2025

1) Mr. Gaurav Jalendra, Ld. Counsel for the Applicant is present.

2) This is an Interlocutory Application filed by the Resolution Professional Mr. Mukesh Kathuria under Section 33 of the Insolvency and Bankruptcy Code, 2016 (the Code) for initiating Liquidation Process against **Lily Jewellery Private Limited** (Corporate Debtor).

3) The facts leading to the case in hand are as follows:

a. Corporate Insolvency Resolution Process (CIRP) of the Corporate Debtor was initiated by this Tribunal vide order dated **25.08.2025** upon admission of a Company Petition under **Section 7 of the Insolvency and Bankruptcy Code, 2016 (the Code)** and the Applicant herein was appointed as the Interim Resolution Professional (IRP) of the Corporate Debtor.

b. It is submitted that public announcement was made in the prescribed Form A on 25.08.2025 and invited claims from all the Creditors. The last date for submission of claims was 10.09.2025.

c. The Applicant submits that, pursuant to the public Announcement dated 25.08.2025, the IRP has inter alia received claims from the creditors of the Corporate Debtor and constituted the Committee of Creditors.

d. The first meeting of Committee of Creditors was held on 23.09.2025, and the Applicant herein was confirmed as the Resolution Professional of the Corporate Debtor.

e. The Applicant published the form G on 12.10.2025 in Free Press Journal in English Language and Navshakti in Marathi Language. As Per Form G, the Last date for submission of Expression of Interest was 27.10.2025. Pursuant to the issuance of Form G, three EOIs were received from the Prospective Resolution Applicants. The said facts was convened to Committee of Creditors in the Second CoC Meeting.

f. In the 3rd CoC meeting held on 14.01.2026, the Applicant informed the CoC Members that the last date for submission of Resolution Plan was 26.12.2025. However, no Resolution Plan has been received by the Resolution Professional on or before 26.12.2025. Further, in the said meeting the Applicant sought the views of the CoC members on whether to publish the form G afresh. It is submitted that after detailed deliberation, the CoC Members in their commercial wisdom submitted and requested the Resolution Professional to proceed Section 33(l)(a) of the code. Further, the Members of CoC deferred the agenda for publication of fresh Form G and approved the agenda for Liquidation of Corporate Debtor.

g. The Applicant further submits that the sole member of CoC being State Bank of India, having voting rights of 100% has approved the resolution for initiation of Liquidation Process under Section 33 of the Code and further resolved to appoint the Applicant herein as the Liquidator and further approved the agenda for appointment of Mr. Mukesh Khathuria as Liquidator of the Corporate Debtor.

4) This Bench is vested with the powers to pass an order of Liquidation of the Corporate Debtor in case, no Resolution Plan is received and voted for in the absence of any Resolution Plan on the table, accordingly, the order of liquidation can be passed by this Adjudicating Authority under section 33 of the Code.

5) It would further appear that the members of CoC does not want to proceed in the matter of Corporate Insolvency Resolution Process of **Lily Jewellery Private Limited** in accordance with provisions of the IBC, 2016 any further.

6) Accordingly, this Adjudicating Authority is left with no other option except to pass an order for Liquidation of the Company in the manner laid down in Chapter III of the Code, **considering the fact there is no Resolution Plan for consideration and CoC does not foresee any possibility of getting Plans in another round also.**

7) **Hence ordered**.

<u>ORDER</u>

i. The present Interlocutory Application bearing IA (I.B.C.) (Liquidation) No. 21 of 2026 is allowed. The Corporate Debtor, **Lily Jewellery Private Limited**, shall be Liquidated in the manner as laid down in Chapter-III of the Code.

ii. **Mr. Mukesh Khathuria** having Registration No. **IBBI/IPA-001/IP-P01216/2018-2019/11925** is appointed as the Liquidator of **Lily Jewellery Private Limited**.

iii. The Liquidator for conduct of the Liquidation proceedings would be entitled to the fees as provided in Regulation 4(2)(b) of the IBBI (Liquidation Process Regulations), 2016.

iv. **The Moratorium declared under Section 14 of the IBC 2016 shall cease to operate here from**.

v. Liquidator shall issue public announcement stating that Corporate Debtor is in Liquidation.

vi. **The Liquidator shall proceed in accordance with Regulation 32 of the Liquidation Process Regulations**.

vii. Subject to Section 52 of the Code no suit or other legal proceedings shall be instituted by or against the Corporate Debtor. This shall however not apply to legal proceedings in relation to such transactions as may be notified by the Central Government in consultation with any financial sector regulator.

viii. All powers of the Board of Directors, Key Managerial Personnel and partners of the Corporate Debtor shall cease to have effect and shall be vested in the Liquidator.

ix. The Liquidator shall exercise the powers and perform duties as envisaged under Sections 35 to 50 and 52 to 54 of the Code read with the Liquidation Process Regulations.

x. Personnel connected with the Corporate Debtor shall extend all assistance and cooperation to the Liquidator as will be required for managing its affairs.

xi. This Order shall be deemed to be a notice of discharge to the officers, employees and workmen of the Corporate Debtor, except when the business of the Corporate Debtor is continued during the liquidation process by the Liquidator.

xii. The Liquidator shall submit progress reports as per Regulation 15 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016.

xiii. The Liquidator is hereby Authorized to represent the Corporate Debtor before the Government Authorities, if need be.

xiv. Registry shall furnish a copy of this Order to the **Insolvency and Bankruptcy Board of India, New Delhi**; **Regional Director**

(Western Region), Ministry of Corporate Affairs; **Registrar of Companies & Official Liquidator, Maharashtra**; **the Registered Office of the Corporate Debtor**; and the Liquidator, **Mr. Mukesh Khathuria,** having E-mail ID khathuria@hotmail.com, having address at 6B/1105 Sapphire Heights, Lokhandwala Township, Akurli Road, Kandivali East, Mumbai Suburban, Maharashtra, 400 101.

8) With the aforesaid observations and directions, the Interlocutory Application bearing IA (I.B.C.) (Liquidation) No. 21 of 2026, stands disposed of as Allowed.

9) There would however be no order as to costs. Ordered Accordingly.

Sd/- **Sd/-**

PRABHAT KUMAR
MEMBER (TECHNICAL)

SUSHIL MAHADEORAO KOCHEY
MEMBER (JUDICIAL)

Vedant Kedare
(Stenographer)