IN THE NATIONAL COMPANY LAW TRIBUNAL
COURT NO. 5, MUMBAI BENCH

I.A. 1398/2020

in

C.P. 2556/I&B/MB/2019

Under Section 66 *read with* Section 26of the Insolvency & Bankruptcy Code, 2016

In the matter of

Mr. Nandkishor Vishnupant Deshpande

… Applicant

vs.

Shalibhadra Exports Private Limited and others

… Respondents

and

In the matter of
Raksha Bullion

... Operational Creditor

vs.

Royal Refinery Private Limited

… Corporate Debtor

Order delivered on:29.01.2021

Coram: Hon’ble Smt. Suchitra Kanuparthi, Member (Judicial)

Hon’ble Shri. Chandra Bhan Singh, Member (Technical)

For the Applicant: PCA Ayush J. Rajani
For the First Respondent: Adv. Rohit Shevate
For the Second and Third Respondent: Adv. Hemal Patel
For the Fourth Respondent: Adv. Kunal Kanungo

Per: Suchitra Kanuparthi, Member (Judicial)

ORDER

1. This IA was filed by the Applicant seeking the following reliefs:

   a. Consider and allow the IA No. 1398 of 2020 in terms of Section 66 read with Section 26 of IBC, 2016;

   b. Direct the Respondents as detailed in this application, to make such contributions to the assets of the Corporate Debtor equivalent to the sums as stated in this Application, in respect of benefits wrongfully availed by from the Corporate Debtor;

   c. Pass appropriate directions / orders in terms of Section 67 of the Code including for recovery/ restoration of legitimate amounts due to the Corporate Debtor;

Contentions of the Applicants:

2. The Corporate Insolvency Resolution Process (CIRP) was initiated against the Corporate Debtor by an order dated 13.11.2019, on a Section 9 Petition filed by the Operational Creditor, wherein Mr. Nandkishor Vishnupant Deshpande, was appointed as an Interim Resolution Professional (IRP).

3. The Applicant submits that the public announcement in Form A of CIRP in the present matter was issued on 21.11.2019 intimating the commencement of the CIRP process and inviting claims from all the creditors to be filed by 04.12.2019. Pursuant to receipt of claims, the IRP constituted a CoC as per the Code. Thereafter, the 1st CoC meeting was held on 17.12.2019 wherein the IRP was confirmed and appointed as the RP.

4. The Applicant submits that the Corporate Debtor is a Company

engaged in the business of importing and then exporting gold after performing manufacturing activity over imported as well as purchase and sale of gold in local market. Generally, no credit is offered to the purchasers of the gold items, since either the amount is received in advance or maximum within a period of 2-3 days. In no case, any major credit period/ facilities are offered to any parties. However, based on the analysis, critical evaluation of data and desktop searches as made by the Applicant, an exception has been observed with regard to certain creditors (Respondent No. 1 being one of them) to whom fraudulent preference has been given while dealing in a business transaction which is carried out under ordinary business, thereby resulting into fraudulent/ wrongful trading fortifying presence of *mens-rea*, and aiming at procuring secret advantage to Respondent Nos. 2 & 3 in affiliation and knowledge of Respondent No. 4.

5. The Applicant further submits that the Corporate Debtor maintained three different ledger accounts for the Respondent No. 1, viz., Shalibhadra Exports Pvt. Ltd. (Jewellery), Shalibhadra Exports Pvt. Ltd. (Local) and Shalibhadra Exports Pvt. Ltd. The Applicant analyzed and assessed all the said three running ledger accounts for the period 01.04.2018 to 20.05.2019 and found that all the three accounts predominantly relates to similar entries in the nature of local sales made with regard to gold/ gold items. The table extracted below summarizes the accounting entries entered between the Corporate Debtor and the Respondent No. 1 in the three ledger accounts maintained by the Corporate Debtor for the Respondent No. 1:

Particulars	Amount in Rs.
Shalibhadra Exports Private Limited (Jewellery)	22,08,08,896/-
Shalibhadra Exports Private Limited (Local)	94,46,26,176/-
Shalibhadra Exports Pvt. Ltd.	4,90,06,404/-
Total	**1,21,44,41,476/-**

6. The Applicant then submits that the above amounts remain outstanding for more than 2 years. These transactions are also substantiated with the invoices of unpaid amounts totaling to Rs. 1,21,44,41,476/-. All the said invoices raised by the Corporate Debtor upon the Respondent No. 1 are annexed as "Annexure 6 Colly" in the Application.

7. The Applicant then submits that the Applicant sent several emails dated 12.12.2019, 14.12.2019, 19.12.2019, 31.12.2019, 07.01.2020 and 27.02.2020 and letters dated 13.01.2020 and 27.01.2020 to the Respondent No. 1 seeking ledger account of the Corporate Debtor and confirm balances up to insolvency commencement date as appearing in the books of the Respondent No. 1 so as to enable the Applicant to verify/ confirm receivables of the Corporate Debtor. The copy of the emails and letters are annexed as "Annexure 7 Colly" and "Annexure 8 Colly". Despite the persistent follow ups to extract information from the Respondent No. 1, the Respondent No. 1 failed to provide any response. The Applicant then contemplates that the above said transactions fall under the provisions of Section 66 of the Code, arising as a result

of fraudulent or wrongful trading with intent to defraud the creditors of the Corporate Debtor.The Applicant further submits that there has been non-cooperation from the promoters/ directors of the Corporate Debtor to provide all the relevant information about the affairs of the Company since the inception of CIRP period.

8. The Applicant stated that from the aforesaid findings, it can be deduced that the Respondent Nos. 2 to 4 herein did not exercise due diligence reasonably while the above mentioned transactions resulted into fraudulent/ wrongful trading which shows willful misconduct and gross negligence with an intent to defraud its creditors.

Contentions of the Respondent No. 1:

9. The Respondent No. 1 submits that the Respondent No. 1 is a separate and independent entity and does not interact with the internal business operation, dealing and activities of the Corporate Debtor. As a matter of general practice in bullion market, money is advanced to parties against purchase of bullions/ gold which is subject to be adjusted against future gold. All the transactions are trust based on the grounds of goodwill of the parties. And took place in honest business activities. There was no dishonest intention to carry business transaction and no participation with the knowledge of a fraudulent intent purpose. It is then submitted that the business transaction was kind of running trading account, i.e., no outstanding amount was due for long period (for more than 2 years); money was disbursed on time to time and sales/ purchase took place according to requirements. There are no unpaid invoices in the books of the Respondent No. 1 instead Rs. 3,235/- receivable from the Corporate Debtor as on the date of commencement of the CIRP. All business transactions are official and placed in general practice of the market. There is no wrongful or fraudulent trading

between the Respondent No. 1 and the Corporate Debtor.

10. The Respondent No. 1 further submits that the Respondent No. 1 is neither Corporate Debtor in main Company Petition/ present I.A. nor promoter/ suspended director or part of management of the Corporate Debtor. The Respondent No. 1 never carried out any fraudulent or wrongful activities knowingly or unknowingly of business with a dishonest intent to fraud creditors. In view of the above said facts, Section 66 of the Code is not applicable and the Respondent No. 1 is not liable to be punished under Sections 67, 70 & 71 of the Code.

Contentions of the Respondent Nos. 2& 3:

11. The Respondent Nos. 2& 3 submitted that there were no fraudulent or wrongful trading between the Respondent No. 1 and the Corporate Debtor. It is baseless and incorrect statement contained by the Applicant that fraudulent preference has been given while dealing in a business transaction which is carried out under ordinary business, thereby resulting into fraudulent/ wrongful trading fortifying presence of *mens rea* and aiming at procuring secret advantage to the Respondent Nos. 2 & 3 in affiliation and knowledge of the Respondent No. 4.

12. The Respondent Nos. 2& 3 further submit that the Respondents are fully co-operating the Applicant in CIRP of the Corporate Debtor *ab initio.* The Respondent No. 1 have attended maximum CoC meetings, provided all the available documents and details required by the Applicant on time to time and replied/ responded to each correspondences with the Applicant through email. Although, due to some unavoidable circumstances which were beyond the control of the Respondents, the Respondents could not provide certain details to the Applicant immediately but the Respondents made all

the efforts to provide the same and continuing to provide the remaining details to the Applicant.

13. The Respondent Nos. 2& 3 further submits that the functions of the Corporate Debtor were affected due to seizure of various data and documents during search by the Directorate of Revenue Intelligence, Mumbai. There is no misconduct or negligence with intent to defraud any creditors. All the business transactions till commencement of CIRP were placed in proper manner, not fraudulently or wrongfully. The Respondents neither performed any misconduct in the course of CIRP nor falsified the books of the Corporate Debtor. Hence, Section 66 of the Code is not applicable and the Respondents are not liable to be punished under Sections 67, 70 & 71 of the Code

Contentions of the Respondent No. 4:

14. The Respondent No. 4 submits that the Corporate Debtor had engaged Manish Panwar& Co., i.e., the Respondent No. 4's proprietary firm as the statutory auditors of the Corporate Debtor on 30.09.2018 vide Appointment Letter dated 01.10.2018 till the conclusion of 7th Annual Meeting. Respondent No. 4 did not issue any statutory audit report since he was not given access to the books of accounts of the Corporate Debtor. Respondent No. 4 then submits that he has never held any documents/data of the Corporate Debtor since the access to the books of accounts of the Corporate Debtor was given only at the registered office of the Corporate Debtor.

15. The Respondent No. 4 further submits that it was the lackadaisical attitude of the management and subsequent arrest of directors of the Corporate Debtor which restrained him from conducting the statutory audit of the Company. The Respondent No. 4 was further

informed that all the books of accounts and data have been ceased by the DRI. It is further submitted that the Respondent No. 4 had resigned from the position of the statutory auditor because he was surrendering his Certificate of Practice ("COP") and wished to pursue higher studies. The Respondent No. 4 submits that he had informed the Applicant that neither audit was done by the auditors nor any statutory audit report was issued since the management had not provided the relevant papers of the Corporate Debtor for conducting the audit.

16. The Respondent No. 4 then submits that the Applicant has baselessly tried to point out the resignation of the Respondent No. 4 as a suspicious and dubious act. However, the Respondent No. 4 had resigned for the purposes of taking admission in a course in the University of Canada and for which he had also received an acceptance letter. Amongst many, this was also one of the reasons why he had also surrendered the COP. The Respondent No. 4 submits that as and when the Applicant has required any information, he has always answered and co-operated with the Applicant in relation to CIRP. Hence, Sections 66, 70 & 71 have no application as against the Respondent No. 4.

Findings:

17. The CIRP of the Corporate Debtor was commenced on 13.11.2019 and from the analysis of the available data of the Corporate Debtor, it is found that the amount of Rs. 121.44 crores stood receivable from the Respondent No. 1 as per the tally data, ledger copies shared by the DRI. The ledger statement as filed by Applicant is reproduced below;

Annexure 5 colly 33

Royal Refinery Pvt Ltd

3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Private Limited (Jewellery)

Ledger Account
41, Vithalwadi,
2nd Floor, Rno-23.
Kalbadevi Road,
Mumbai-4000002

1-Apr-2015 to 31-Mar-2018

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Date		Particulars	Vch Type	Vch No.	Debit	Credit
23-6-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/01		2,90,08,980.00
25-6-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/02		3,53,10,704.00
28-6-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/03		5,30,54,859.00
	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/04		3,57,99,500.00
29-6-2016	To	Union Bank of India [A/c 408101010035700]	Payment		5,48,00,000.00	
	To	Yes Bank (Cash Credit Account)	Journal		8,48,24,800.00	
	To	Yes Bank (Cash Credit Account)	Journal		4,30,60,000.00	
	To	Lakshmi Vilas Bank Ltd (0176539000000274)CC	Journal		5,16,50,500.00	
	To	Lakshmi Vilas Bank Ltd (0176539000000274)CC	Journal		5,39,20,500.00	
	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/05		2,85,89,000.00
30-6-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/06		6,47,53,781.00
28-7-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/07		1,45,01,960.00
29-7-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/08		1,30,60,872.00
30-7-2016	By	Gold Jewellery (Local Purchase)	Purchase	Local/2016-17/J/09		1,39,65,600.00
7-9-2016	To	Lakshmi Vilas Bank Ltd (0176539000000274)CC	Journal		6,83,58,580.00	
8-9-2016	To	Yes Bank (Cash Credit Account)	Journal		4,10,25,000.00	
12-9-2016	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery			2,89,63,440.00
14-9-2016	To	Yes Bank (Cash Credit Account)	Journal		98,00,000.00	
15-9-2016	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery			2,32,59,808.00
17-9-2016	To	Yes Bank (Cash Credit Account)	Journal		2,50,000.00	
19-9-2016	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery			87,01,176.00
21-9-2016	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery	1		1,78,09,682.00
20-10-2016	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery			4,06,79,134.00
2-11-2016	To	Kotak Mahindra Bank (A/c No 3811449969)	Payment		6,61,32,890.00	
28-11-2016	To	Lakshmi Vilas Bank Ltd (0176539000000274)CC	Journal		1,78,40,500.00	
2-12-2016	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery	Local/2016-17-J/15		7,65,01,553.00
					49,16,62,770.00	48,39,60,049.00
	By	**Closing Balance**				77,02,721.00
					49,16,62,770.00	**49,16,62,770.00**
1-4-2017	To	**Opening Balance**			**77,02,721.00**	
8-6-2017	To	Union Bank of India [A/c 408101010035700]	Payment		2,82,80,000.00	
29-6-2017	By	Gold Jewellery (Local Purchase)	Purchase - Jewellery	45		2,17,53,952.00
		Carried Over			3,59,82,721.00	2,17,53,952.00

continued ...

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Royal Refinery Pvt Ltd
Shalibhadra Exports Private Limited (Jewellery) Ledger Account : 1-Apr-2015 to 31-Mar-2018 Page 2

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			3,59,82,721.00	2,17,53,952.00
29-9-2017	To	Union Bank of India [A/c 408101010036700]	Payment		2,31,00,000.00	
16-2-2018	By	Purchase GST	Purchase-Jewellery			1,85,94,920.00
27-2-2018	By	Purchase GST	Purchase-Jewellery			1,89,57,115.00
					5,90,82,721.00	5,93,05,987.00
	To	Closing Balance			2,23,266.00	
					5,93,05,987.00	**5,93,05,987.00**

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Royal Refinery Pvt Ltd
3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Private Limited (Jewellery)
Ledger Account
41, Vithalwadi,
2nd Floor, Rno-23.
Kalbadevi Road,
Mumbai-4000002

1-Apr-2018 to 13-Nov-2019

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Date		Particulars	Vch Type	Vch No.	Debit	Credit
1-4-2018	Dr	Opening Balance				2,23,266.000
4-2-2019	Cr	(as per details)	Sales	RRPL/JW/01	2,03,44,273.660	
		Sales GST	1,97,51,722.000 Cr			
		CGST	2,96,275.830 Cr			
		SGST	2,96,275.830 Cr			
1-3-2019	Cr	(as per details)	Sales	RRPL/JW/03	5,90,02,984.530	
		Sales GST	5,72,84,451.000 Cr			
		CGST	8,59,266.765 Cr			
		SGST	8,59,266.765 Cr			
13-3-2019	Cr	(as per details)	Sales	RRPL/JW/04	3,01,59,405.280	
		Sales GST	2,92,80,976.000 Cr			
		CGST	4,39,214.640 Cr			
		SGST	4,39,214.640 Cr			
19-3-2019	Cr	(as per details)	Sales	RRPL/JW/05	4,57,87,479.920	
		Sales GST	4,44,53,864.000 Cr			
		CGST	6,66,807.960 Cr			
		SGST	6,66,807.960 Cr			
30-3-2019	Cr	(as per details)	Sales	RRPL/JW/10	6,57,38,019.600	
		Sales GST	6,38,23,320.000 Cr			
		CGST	9,57,349.800 Cr			
		SGST	9,57,349.800 Cr			
					22,10,32,162.990	2,23,266.000
	Dr	Closing Balance				22,08,08,896.990
					22,10,32,162.990	**22,10,32,162.990**

Royal Refinery Pvt Ltd
3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Private Limited (Local)
Ledger Account
41, Vithalwadi,
2nd Floor, Rno-23.
Kalbadevi Road,
Mumbai-4000002

1-Apr-2015 to 31-Mar-2018

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Date		Particulars	Vch Type	Vch No.	Debit	Credit
1-4-2015	To	**Opening Balance**			**3,75,63,360.00**	
9-4-2015	By	Yes Bank (Cash Credit Account)	Journal			1,13,00,000.00
21-4-2015	To	Gold Bar	Sales	RRPL/2015-16/04	2,69,67,000.00	
27-4-2015	By	Yes Bank (Cash Credit Account)	Journal			2,62,63,360.00
5-6-2015	By	Yes Bank (Cash Credit Account)	Journal			14,00,000.00
	By	Union Bank of India [A/c 408101010036700]	Receipt			18,00,000.00
8-6-2015	By	Yes Bank (Cash Credit Account)	Journal			1,60,00,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			77,00,000.00
16-6-2015	To	Gold Bar	Sales	RRPL/2015-16/16	2,16,14,000.00	
18-6-2015	To	Gold Bar	Sales	RRPL/2015-16/17	1,89,47,600.00	
20-6-2015	To	Gold Bar	Sales	RRPL/2015-16/18	1,35,23,900.00	
22-6-2015	To	Gold Bar	Sales	RRPL/2015-16/19	1,34,60,775.00	
3-8-2015	To	Gold Bar	Sales	RRPL/2015-16/23	24,99,750.00	
11-8-2015	To	Gold Bar	Sales	RRPL/2015-16/24	50,90,400.00	
21-8-2015	To	Gold Bar	Sales	RRPL/2015-16/25	2,17,75,600.00	
18-9-2015	To	Gold Bar	Sales	RRPL/2015-16/34	2,65,63,000.00	
21-9-2015	To	Gold Bar	Sales	RRPL/2015-16/38	3,18,51,360.00	
22-9-2015	To	Gold Bar	Sales	RRPL/2015-16/40	1,58,71,140.00	
24-9-2015	To	Gold Bar	Sales	RRPL/2015-16/44	2,70,17,500.00	
29-9-2015	By	Shalibhadra Exports Pvt.Ltd.	Journal			1,53,708.00
6-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,52,00,000.00
9-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			8,58,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			6,50,000.00
	To	Gold Bar	Sales	RRPL/2015-16/57	2,92,21,500.00	
	To	Gold Bar	Sales	RRPL/2015-16/58	2,65,65,000.00	
	To	Gold Bar	Sales	RRPL/2015-16/59	5,37,77,680.00	
	To	Gold Bar	Sales	RRPL/2015-16/60	5,41,92,600.00	
12-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			77,50,000.00
15-10-2015	To	Gold Bar	Sales	RRPL/2015-16/65	3,78,99,400.00	
21-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,65,00,000.00
23-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,54,00,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			1,65,00,000.00
26-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			39,25,000.00
		Carried Over			46,44,01,565.00	14,14,00,068.00

continued ...

Royal Refinery Pvt Ltd
Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2015 to 31-Mar-2018 Page 2

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			46,44,01,565.00	14,14,00,068.00
27-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			38,50,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			1,90,60,340.00
29-10-2015	To	Gold Bar	Sales	RRPL/2015-16/78	4,55,90,600.00	
30-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,49,70,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			1,73,45,633.00
31-10-2015	By	Ratnakar Bank A/c 409000021501	Receipt			45,45,300.00
3-11-2015	By	Ratnakar Bank A/c 409000021501	Receipt			8,67,980.00
	By	Ratnakar Bank A/c 409000021501	Receipt			54,72,390.00
	By	Ratnakar Bank A/c 409000021501	Receipt			1,49,24,760.00
	By	Ratnakar Bank A/c 409000021501	Receipt			1,60,000.00
	To	Gold Bar	Sales	RRPL/2015-16/88	4,75,43,760.00	
4-11-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,49,80,380.00
6-11-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,56,72,340.00
	By	Ratnakar Bank A/c 409000021501	Receipt			1,57,95,693.00
10-11-2015	By	Ratnakar Bank A/c 409000021501	Receipt			51,93,600.00
	By	Ratnakar Bank A/c 409000021501	Receipt			53,25,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			99,68,510.00
12-11-2015	To	Gold Bar	Sales	RRPL/2015-16/93	5,16,72,720.00	
13-11-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,58,30,000.00
14-11-2015	To	Gold Bar	Sales	RRPL/2015-16/95	3,09,42,912.00	
16-11-2015	By	Ratnakar Bank A/c 409000021501	Receipt			8,30,000.00
	To	Gold Bar	Sales	RRPL/2015-16/97	3,08,45,760.00	
17-11-2015	By	Yes Bank (Cash Credit Account)	Journal			1,50,25,000.00
	By	Yes Bank (Cash Credit Account)	Journal			1,50,00,000.00
18-11-2015	By	Yes Bank (Cash Credit Account)	Journal			1,50,60,000.00
	By	Yes Bank (Cash Credit Account)	Journal			1,52,00,000.00
19-11-2015	By	Yes Bank (Cash Credit Account)	Journal			1,51,00,000.00
	By	Yes Bank (Cash Credit Account)	Journal			1,00,50,000.00
20-11-2015	To	Gold Bar	Sales	RRPL/2015-16/103	1,02,37,392.00	
21-11-2015	By	Yes Bank (Cash Credit Account)	Journal			2,30,00,000.00
	By	Yes Bank (Cash Credit Account)	Journal			90,00,000.00
23-11-2015	To	Gold Bar	Sales	RRPL/2015-16/107	76,59,828.00	
	To	Gold Bar	Sales	RRPL/2015-16/108	51,20,720.00	
27-11-2015	By	Yes Bank (Cash Credit Account)	Journal			40,00,000.00
1-12-2015	To	Gold Bar	Sales	RRPL/2015-16/117	51,04,528.00	
3-12-2015	By	Yes Bank (Cash Credit Account)	Journal			24,90,680.00
4-12-2015	By	Yes Bank (Cash Credit Account)	Journal			98,00,000.00
7-12-2015	By	Yes Bank (Cash Credit Account)	Journal			1,01,58,000.00
	To	Gold Bar	Sales	RRPL/2015-16/127	1,28,27,100.00	
9-12-2015	By	Yes Bank (Cash Credit Account)	Journal			1,07,50,000.00
10-12-2015	By	Yes Bank (Cash Credit Account)	Journal			59,83,182.00
11-12-2015	By	Yes Bank (Cash Credit Account)	Journal			57,48,740.00
12-12-2015	To	Gold Bar	Sales	RRPL/2015-16/138	1,28,72,640.00	
15-12-2015	To	Gold Bar	Sales	RRPL/2015-16/141	5,10,25,040.00	
	By	Yes Bank (Cash Credit Account)	Journal			54,90,950.00
22-12-2015	By	Yes Bank (Cash Credit Account)	Journal			1,00,90,310.00
28-12-2015	To	Gold Bar	Sales	RRPL/2015-16/150	25,45,180.00	
29-12-2015	To	Gold Bar	Sales	RRPL/2015-16/158	51,04,528.00	
1-1-2016	By	Yes Bank (Cash Credit Account)	Journal			1,25,00,000.00
2-1-2016	To	Gold Bar	Sales	RRPL/2015-16/163	5,06,80,960.00	
		Carried Over			83,41,75,233.00	50,06,38,856.00

continued ...

Royal Refinery Pvt Ltd

Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2015 to 31-Mar-2018

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			83,41,75,233.00	50,06,38,856.00
7-1-2016	To Gold Bar	Sales	RRPL/2015-16/168	2,08,87,680.00	
8-1-2016	To Gold Bar	Sales	RRPL/2015-16/171	52,52,280.00	
25-1-2016	By Yes Bank (Cash Credit Account)	Journal			4,98,97,400.00
	By Yes Bank (Cash Credit Account)	Journal			7,84,90,344.00
27-1-2016	By Yes Bank (Cash Credit Account)	Journal			2,53,96,480.00
	By Yes Bank (Cash Credit Account)	Journal			99,67,890.00
28-1-2016	To Gold Bar	Sales	RRPL/2015-16/181	2,68,68,600.00	
29-1-2016	To Gold Bar	Sales	RRPL/2015-16/184	2,68,38,240.00	
2-2-2016	To Gold Bar	Sales	RRPL/2015-16/187	4,14,41,400.00	
9-2-2016	To Gold Bar	Sales	RRPL/2015-16/196	4,19,81,201.00	
	By Yes Bank (Cash Credit Account)	Journal			3,29,40,900.00
15-2-2016	By Yes Bank (Cash Credit Account)	Journal			2,17,73,480.00
16-2-2016	By Yes Bank (Cash Credit Account)	Journal			1,50,00,000.00
	To Gold Bar	Sales	RRPL/2015-16/201	28,23,480.00	
17-2-2016	By Yes Bank (Cash Credit Account)	Journal			1,47,50,000.00
26-2-2016	To Gold Bar	Sales	RRPL/2015-16/205	58,39,240.00	
12-3-2016	To Shalibhadra Exports Pvt.Ltd.	Journal		3,09,79,344.00	
14-3-2016	To Gold Bar	Sales	RRPL/2015-16/216	7,06,53,792.00	
19-3-2016	By Yes Bank (Cash Credit Account)	Journal			7,80,89,280.00
	By Yes Bank (Cash Credit Account)	Journal			7,85,40,000.00
21-3-2016	By Yes Bank (Cash Credit Account)	Journal			1,58,00,000.00
	By Yes Bank (Cash Credit Account)	Journal			6,08,02,066.00
28-3-2016	By Yes Bank (Cash Credit Account)	Journal			1,84,17,000.00
29-3-2016	To Gold Bar	Sales	RRPL/2015-16/227	57,07,680.00	
	To Gold Bar	Sales	RRPL/2015-16/228	57,11,728.00	
				1,11,91,59,898.00	1,00,05,03,696.00
	By **Closing Balance**				11,86,56,202.00
				1,11,91,59,898.00	**1,11,91,59,898.00**
1-4-2016	To **Opening Balance**			**11,86,56,202.00**	
11-4-2016	By Ratnakar Bank A/c 409000021501	Receipt			1,00,000.00
19-5-2016	By Union Bank of India [A/c 408101010036700]	Receipt			64,80,460.00
23-5-2016	By Yes Bank (Cash Credit Account)	Journal			1,48,56,200.00
	By Yes Bank (Cash Credit Account)	Journal			1,96,50,000.00
24-5-2016	By Yes Bank (Cash Credit Account)	Journal			2,64,00,000.00
25-5-2016	By Yes Bank (Cash Credit Account)	Journal			97,50,000.00
	By Yes Bank (Cash Credit Account)	Journal			1,39,76,700.00
	By Yes Bank (Cash Credit Account)	Journal			1,41,80,000.00
	To Gold Bar	Sales	RRPL/2016-17/07	7,39,51,900.00	
26-5-2016	By Yes Bank (Cash Credit Account)	Journal			36,65,250.00
27-5-2016	To Gold Bar	Sales	RRPL/2016-17/09	7,29,90,500.00	
	To Gold Bar	Sales	RRPL/2016-17/10	5,83,31,680.00	
1-6-2016	By Yes Bank (Cash Credit Account)	Journal			1,43,50,000.00
2-6-2016	By Yes Bank (Cash Credit Account)	Journal			2,50,48,250.00
	By Yes Bank (Cash Credit Account)	Journal			4,61,00,000.00
3-6-2016	By Yes Bank (Cash Credit Account)	Journal			4,64,60,000.00
	By Yes Bank (Cash Credit Account)	Journal			4,27,40,000.00
4-6-2016	By Yes Bank (Cash Credit Account)	Journal			4,10,98,500.00
6-6-2016	By Yes Bank (Cash Credit Account)	Journal			4,50,40,980.00
9-6-2016	By Yes Bank (Cash Credit Account)	Journal			1,04,78,450.00
	Carried Over			32,39,30,282.00	38,03,74,790.00

continued ...

Royal Refinery Pvt Ltd

Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2015 to 31-Mar-2018

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			32,39,30,282.00	38,03,74,790.00
11-6-2016	To **Shalibhadra Exports Pvt.Ltd.**	**Journal**		4,90,06,404.00	
13-6-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			5,20,340.00
	To **Gold Bar**	**Sales**	RRPL/2016-17/15	2,97,32,560.00	
14-6-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/16	3,01,57,600.00	
16-6-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/17	90,47,280.00	
	To **Gold Bar**	**Sales**	RRPL/2016-17/18	60,31,520.00	
23-6-2016	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			64,20,840.00
	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			72,00,000.00
24-6-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			72,98,900.00
27-6-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			2,78,50,000.00
29-6-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			2,77,35,000.00
	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			2,20,00,000.00
4-7-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/28	62,44,040.00	
8-7-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/29	1,55,34,200.00	
14-7-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/31	2,17,47,880.00	
15-7-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/32	1,24,47,600.00	
18-7-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/33	62,54,160.00	
19-7-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			58,60,700.00
	To **Gold Bar**	**Sales**	RRPL/2016-17/34	31,22,020.00	
20-7-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			59,50,000.00
22-7-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			58,16,370.00
25-7-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			60,25,000.00
1-8-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			3,42,30,000.00
	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			2,75,93,090.00
	To **Gold Bar**	**Sales**	RRPL/2016-17/41	5,33,32,400.00	
2-8-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			3,83,76,700.00
3-8-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			26,50,000.00
6-8-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			2,89,00,000.00
7-9-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			3,96,58,000.00
8-9-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/46	2,93,64,192.00	
9-9-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/47	5,04,86,656.00	
	By **Union Bank of India [A/c 408101010036700]**	**Receipt**			30,00,000.00
	To **Gold Bar**	**Sales**	RRPL/2016-17/48	8,66,17,080.00	
10-9-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/49	6,93,52,360.00	
3-10-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/58	3,77,07,120.00	
14-10-2016	By **Yes Bank (Cash Credit Account)**	**Journal**			1,05,60,540.00
1-11-2016	To **Gold Bar**	**Sales**	RRPL/2016-17/65	6,19,54,640.00	
3-11-2016	By **Kotak Mahindra Bank (A/c No 3811449969)**	**Receipt**			3,20,000.00
	To **Gold Bar**	**Sales**	RRPL/2016-17/68	4,02,83,672.00	
16-11-2016	By **Kotak Mahindra Bank (A/c No 3811449969)**	**Receipt**			2,99,75,084.00
21-11-2016	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			31,50,000.00
24-11-2016	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			1,90,00,000.00
30-11-2016	By **Lakshmi Vilas Bank Ltd (0176639000000274)CC**	**Journal**			1,40,80,000.00
	By **Union Bank of India [A/c 408101010036700]**	**Receipt**			5,00,000.00
1-12-2016	By **Union Bank of India [A/c 408101010036700]**	**Receipt**			25,00,000.00
2-12-2016	By **Kotak Mahindra Bank (A/c No 3811449969)**	**Receipt**			42,50,000.00
17-2-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/86	5,36,37,012.00	
24-2-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/90	6,29,05,920.00	
27-2-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/91	7,49,63,900.00	
1-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/94	5,41,01,520.00	
	Carried Over			1,18,79,62,018.00	76,17,95,354.00

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Royal Refinery Pvt Ltd

Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2015 to 31-Mar-2018 Page 5

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			1,18,79,62,018.00	76,17,95,354.00
3-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/97	3,00,46,280.00	
4-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/100	3,60,43,392.00	
6-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/102	6,01,33,040.00	
9-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/107	3,00,56,400.00	
10-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/108	3,31,73,360.00	
31-3-2017	To **Gold Bar**	**Sales**	RRPL/2016-17/111	1,50,78,800.00	
				1,39,24,93,290.00	76,17,95,354.00
	By **Closing Balance**				63,06,97,936.00
				1,39,24,93,290.00	**1,39,24,93,290.00**
1-4-2017	To **Opening Balance**			**63,06,97,936.00**	
5-4-2017	To **Gold Bar**	**Sales**	RRPL/2017-18/02	58,39,240.00	
13-4-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			14,75,000.00
24-4-2017	To **Gold Bar**	**Sales**	RRPL/2017-18/11	58,69,600.00	
27-4-2017	To **Gold Bar**	**Sales**	RRPL/2017-18/13	29,14,560.00	
11-5-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			1,01,00,000.00
2-6-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			7,08,50,000.00
3-6-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			6,90,41,300.00
5-6-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			4,90,50,270.00
7-6-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			4,95,80,450.00
	To **Gold Bar**	**Sales**	RRPL/2017-18/33	8,00,04,672.00	
8-6-2017	To **Gold Bar**	**Sales**	RRPL/2017-18/34	7,11,15,264.00	
21-6-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			2,45,90,700.00
1-7-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			3,63,40,000.00
4-7-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			3,75,40,000.00
5-7-2017	To **Sales GST**	**Sales**	RRPL/2017-18/53	29,20,050.00	
7-7-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			1,51,35,780.00
	To **Sales GST**	**Sales**	RRPL/2017-18/54	14,44,575.00	
14-7-2017	To **Sales GST**	**Sales**	RRPL/2017-18/57	28,78,850.00	
19-7-2017	To **Sales GST**	**Sales**	RRPL/2017-18/60	29,09,750.00	
4-8-2017	To **Sales GST**	**Sales**	RRPL/2017-18/67	29,09,750.00	
11-8-2017	To **Sales GST**	**Sales**	RRPL/2017-18/69	59,36,920.00	
25-8-2017	To **Sales GST**	**Sales**	RRPL/2017-18/75	29,61,250.00	
8-9-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			74,37,700.00
11-9-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			28,00,000.00
19-9-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			2,47,53,200.00
	By Yes Bank (Cash Credit Account)	**Journal**			25,00,000.00
26-9-2017	By Yes Bank (Cash Credit Account)	**Journal**			15,00,000.00
4-10-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			1,14,75,000.00
6-10-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			25,50,000.00
27-10-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			2,01,00,000.00
30-10-2017	By Union Bank of India [A/c 408101010036700]	**Receipt**			1,98,00,000.00
5-11-2017	To **Sales GST**	**Sales**	RRPL/2017-18/119	60,14,170.00	
27-11-2017	To **Sales GST**	**Sales**	RRPL/2017-18/139	1,51,66,750.00	
28-11-2017	To **Sales GST**	**Sales**	RRPL/2017-18/140	60,54,340.00	
4-12-2017	To **Sales GST**	**Sales**	RRPL/2017-18/142	1,49,60,750.00	
6-12-2017	By Kotak Mahindra Bank (A/c No 3811449969)	**Receipt**			3,00,000.00
7-12-2017	By Lakshmi Vilas Bank Ltd (0176539000000274)CC	**Journal**			4,93,80,018.00
8-12-2017	To **Sales GST**	**Sales**	RRPL/2017-18/151	3,23,86,290.00	
14-12-2017	To **Sales GST**	**Sales**	RRPL/2017-18/152	1,17,42,000.00	
	Carried Over			90,47,26,717.00	50,62,99,418.00

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Royal Refinery Pvt Ltd

Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2015 to 31-Mar-2018 Page 6

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			90,47,26,717.00	50,62,99,418.00
22-12-2017	To	Sales GST	Sales	RRPL/2017-18/165	1,47,80,500.00	
27-12-2017	By	Union Bank of India [A/c 408101010036700]	Receipt			2,15,00,000.00
	By	Yes Bank (Cash Credit Account)	Journal			72,50,000.00
	To	Sales GST	Sales	RRPL/2017-18/168	1,48,57,750.00	
	To	Sales GST	Sales	RRPL/2017-18/169	1,85,09,100.00	
28-12-2017	By	Union Bank of India [A/c 408101010036700]	Receipt			40,53,000.00
2-1-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			30,00,000.00
12-1-2018	To	Sales GST	Sales	RRPL/2017-18/179	2,45,55,200.00	
15-1-2018	To	Sales GST	Sales	RRPL/2017-18/180	2,16,15,580.00	
16-1-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			48,50,000.00
19-1-2018	To	Sales GST	Sales	RRPL/2017-18/185	2,62,82,510.00	
20-1-2018	To	Sales GST	Sales	RRPL/2017-18/186	3,08,58,800.00	
22-1-2018	To	Sales GST	Sales	RRPL/2017-18/187	2,78,10,000.00	
23-1-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			60,21,650.00
24-1-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			20,35,000.00
29-1-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			42,65,000.00
5-2-2018	To	Sales GST	Sales	RRPL/2017-18/204	1,24,83,600.00	
9-2-2018	To	Sales GST	Sales	RRPL/2017-18/212	92,94,720.00	
12-2-2018	To	Sales GST	Sales	RRPL/2017-18/213	1,85,95,620.00	
14-2-2018	To	Sales GST	Sales	RRPL/2017-18/214	1,25,45,400.00	
16-2-2018	To	Sales GST	Sales	RRPL/2017-18/215	1,74,42,535.00	
19-2-2018	To	Sales GST	Sales	RRPL/2017-18/216	1,10,67,350.00	
21-2-2018	To	Sales GST	Sales	RRPL/2017-18/218	1,88,18,100.00	
22-2-2018	To	Sales GST	Sales	RRPL/2017-18/219	1,56,97,200.00	
23-2-2018	To	Sales GST	Sales	RRPL/2017-18/220	1,41,04,305.00	
26-2-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			2,37,50,000.00
	To	Sales GST	Sales	RRPL/2017-18/221	94,49,220.00	
27-2-2018	To	Sales GST	Sales	RRPL/2017-18/222	62,89,180.00	
28-2-2018	To	Sales GST	Sales	RRPL/2017-18/223	94,02,870.00	
	To	Sales GST	Sales	RRPL/2017-18/224	1,09,73,620.00	
2-3-2018	To	Sales GST	Sales	RRPL/2017-18/225	3,18,78,500.00	
7-3-2018	To	Sales GST	Sales	RRPL/2017-18/226	4,76,63,250.00	
	To	Sales GST	Sales	RRPL/2017-18/227	1,59,13,500.00	
12-3-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			1,48,70,000.00
14-3-2018	To	Sales GST	Sales	RRPL/2017-18/232	2,86,90,650.00	
18-3-2018	To	Sales GST	Sales	RRPL/2017-18/237	4,76,63,250.00	
27-3-2018	To	Sales GST	Sales	RRPL/2017-18/245	4,78,17,750.00	
29-3-2018	To	Sales GST	Sales	RRPL/2017-18/249	6,34,48,000.00	
30-3-2018	To	Sales GST	Sales	RRPL/2017-18/250	7,96,96,250.00	
	To	Sales GST	Sales	RRPL/2017-18/251	4,77,40,500.00	
					1,66,06,71,527.00	59,78,94,068.00
	By	Closing Balance				1,06,27,77,459.00
					1,66,06,71,527.00	**1,66,06,71,527.00**

Royal Refinery Pvt Ltd
3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Private Limited (Local)
Ledger Account
55/59, Offc No. 2H,
3rd Floor, Building No. 55/59, Champa Gali,
Mumbai-400002

1-Apr-2018 to 13-Nov-2019

Date		Particulars	Vch Type	Vch No.	Debit	Credit
1-4-2018	Cr	**Opening Balance**			1,06,27,77,459.000	
2-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/01	63,18,020.000	
		Sales GST	61,34,000.000 Cr			
		CGST	92,010.000 Cr			
		SGST	92,010.000 Cr			
6-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/07	47,23,065.000	
		Sales GST	45,85,500.000 Cr			
		CGST	68,782.500 Cr			
		SGST	68,782.500 Cr			
10-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/11	56,97,342.000	
		Sales GST	55,31,400.000 Cr			
		CGST	82,971.000 Cr			
		SGST	82,971.000 Cr			
16-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/17	48,15,765.000	
		Sales GST	46,75,500.000 Cr			
		CGST	70,132.500 Cr			
		SGST	70,132.500 Cr			
19-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/20	51,78,016.000	
		Sales GST	50,27,200.000 Cr			
		CGST	75,408.000 Cr			
		SGST	75,408.000 Cr			
20-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/21	58,21,560.000	
		Sales GST	56,52,000.000 Cr			
		CGST	84,780.000 Cr			
		SGST	84,780.000 Cr			
25-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/26	80,64,900.000	
		Sales GST	78,30,000.000 Cr			
		CGST	1,17,450.000 Cr			
		SGST	1,17,450.000 Cr			
27-4-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			13,75,000.000
	Cr	(as per details)	Sales	RRPL/2018-19/30	64,18,960.000	
		Sales GST	62,32,000.000 Cr			
		CGST	93,480.000 Cr			
		SGST	93,480.000 Cr			
30-4-2018	Cr	(as per details)	Sales	RRPL/2018-19/31	79,92,800.000	
		Sales GST	77,60,000.000 Cr			
		CGST	1,16,400.000 Cr			
		SGST	1,16,400.000 Cr			
		Carried Over			1,11,78,07,887.000	13,75,000.000

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Royal Refinery Pvt Ltd

Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			1,11,78,07,887.000	13,75,000.000
1-5-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/32	1,27,26,680.000	
		Sales GST	**1,23,56,000.000 Cr**			
		CGST	**1,85,340.000 Cr**			
		SGST	**1,85,340.000 Cr**			
5-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			4,73,80,000.000
7-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			7,50,00,000.000
	Dr	Union Bank of India [A/c 408101010036700]	Receipt			5,02,22,460.000
8-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			3,25,00,000.000
	Dr	Union Bank of India [A/c 408101010036700]	Receipt			4,98,00,000.000
9-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			4,96,50,000.000
10-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			2,71,00,000.000
15-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			3,56,50,000.000
16-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			3,21,00,000.000
	Cr	**(as per details)**	**Sales**	RRPL/2018-19/35	1,11,75,500.000	
		Sales GST	**1,08,50,000.000 Cr**			
		CGST	**1,62,750.000 Cr**			
		SGST	**1,62,750.000 Cr**			
18-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			2,91,50,000.000
22-5-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/38	1,59,90,750.000	
		Sales GST	**1,55,25,000.000 Cr**			
		CGST	**2,32,875.000 Cr**			
		SGST	**2,32,875.000 Cr**			
23-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			5,62,50,000.000
24-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			4,75,00,000.000
25-5-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			1,02,40,300.000
30-5-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/40	2,07,67,890.000	
		Sales GST	**2,01,63,000.000 Cr**			
		CGST	**3,02,445.000 Cr**			
		SGST	**3,02,445.000 Cr**			
4-6-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/43	1,89,47,880.000	
		Sales GST	**1,83,96,000.000 Cr**			
		CGST	**2,75,940.000 Cr**			
		SGST	**2,75,940.000 Cr**			
6-6-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			34,50,312.000
7-6-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/46	1,26,48,400.000	
		Sales GST	**1,22,80,000.000 Cr**			
		CGST	**1,84,200.000 Cr**			
		SGST	**1,84,200.000 Cr**			
18-6-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			1,02,00,000.000
22-6-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/51	1,09,66,410.000	
		Sales GST	**1,06,47,000.000 Cr**			
		CGST	**1,59,705.000 Cr**			
		SGST	**1,59,705.000 Cr**			
2-7-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/52	93,93,600.000	
		Sales GST	**91,20,000.000 Cr**			
		CGST	**1,36,800.000 Cr**			
		SGST	**1,36,800.000 Cr**			
6-7-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/56	1,57,59,000.000	
		Sales GST	**1,53,00,000.000 Cr**			
		CGST	**2,29,500.000 Cr**			
		SGST	**2,29,500.000 Cr**			
7-7-2018	Dr	Union Bank of India [A/c 408101010036700]	Receipt			25,70,400.000
		Carried Over			1,24,61,83,997.000	56,01,38,472.000

continued ...

Royal Refinery Pvt Ltd

Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			1,24,61,83,997.000	56,01,38,472.000
13-7-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/60	1,39,74,525.000	
		Sales GST	**1,35,67,500.000 Cr**			
		CGST	**2,03,512.500 Cr**			
		SGST	**2,03,512.500 Cr**			
17-7-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/63	92,85,450.000	
		Sales GST	**90,15,000.000 Cr**			
		CGST	**1,35,225.000 Cr**			
		SGST	**1,35,225.000 Cr**			
26-7-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/69	1,23,14,680.000	
		Sales GST	**1,19,56,000.000 Cr**			
		CGST	**1,79,340.000 Cr**			
		SGST	**1,79,340.000 Cr**			
27-7-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			50,25,300.000
30-7-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/74	1,07,32,085.000	
		Sales GST	**1,04,19,500.000 Cr**			
		CGST	**1,56,292.500 Cr**			
		SGST	**1,56,292.500 Cr**			
16-8-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/88	45,36,120.000	
		Sales GST	**44,04,000.000 Cr**			
		CGST	**66,060.000 Cr**			
		SGST	**66,060.000 Cr**			
	Cr	**(as per details)**	**Sales**	RRPL/2018-19/87	30,24,080.000	
		Sales GST	**29,36,000.000 Cr**			
		CGST	**44,040.000 Cr**			
		SGST	**44,040.000 Cr**			
29-8-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			1,20,45,300.000
6-9-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			1,88,25,000.000
11-9-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			1,43,50,000.000
	Cr	**(as per details)**	**Sales**	RRPL/2018-19/113	31,50,770.000	
		Sales GST	**30,59,000.000 Cr**			
		CGST	**45,885.000 Cr**			
		SGST	**45,885.000 Cr**			
12-9-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/114	47,30,790.000	
		Sales GST	**45,93,000.000 Cr**			
		CGST	**68,895.000 Cr**			
		SGST	**68,895.000 Cr**			
8-10-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/143	64,10,720.000	
		Sales GST	**62,24,000.000 Cr**			
		CGST	**93,360.000 Cr**			
		SGST	**93,360.000 Cr**			
9-10-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/144	31,98,150.000	
		Sales GST	**31,05,000.000 Cr**			
		CGST	**46,575.000 Cr**			
		SGST	**46,575.000 Cr**			
20-10-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			33,00,000.000
22-10-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			25,50,000.000
23-10-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			97,25,000.000
27-10-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/167	32,73,340.000	
		Sales GST	**31,78,000.000 Cr**			
		CGST	**47,670.000 Cr**			
		SGST	**47,670.000 Cr**			
30-10-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/170	48,89,925.000	
		Sales GST	**47,47,500.000 Cr**			
		CGST	**71,212.500 Cr**			
		SGST	**71,212.500 Cr**			
		Carried Over			1,32,57,04,632.000	62,59,59,072.000

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Royal Refinery Pvt Ltd
Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			1,32,57,04,632.000	62,59,59,072.000
1-11-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/172	65,42,560.000	
		Sales GST	**63,52,000.000 Cr**			
		CGST	**95,280.000 Cr**			
		SGST	**95,280.000 Cr**			
2-11-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/173	81,60,176.000	
		Sales GST	**79,22,500.000 Cr**			
		CGST	**1,18,838.000 Cr**			
		SGST	**1,18,838.000 Cr**			
5-11-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			55,25,000.000
23-11-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/204	1,10,60,140.000	
		Sales GST	**1,07,38,000.000 Cr**			
		CGST	**1,61,070.000 Cr**			
		SGST	**1,61,070.000 Cr**			
26-11-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/205	31,63,130.000	
		Sales GST	**30,71,000.000 Cr**			
		CGST	**46,065.000 Cr**			
		SGST	**46,065.000 Cr**			
1-12-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			20,00,000.000
	Cr	**(as per details)**	**Sales**	RRPL/2018-19/216	15,70,750.000	
		Sales GST	**15,25,000.000 Cr**			
		CGST	**22,875.000 Cr**			
		SGST	**22,875.000 Cr**			
3-12-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/218	31,67,250.000	
		Sales GST	**30,75,000.000 Cr**			
		CGST	**46,125.000 Cr**			
		SGST	**46,125.000 Cr**			
4-12-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/219	31,82,700.000	
		Sales GST	**30,90,000.000 Cr**			
		CGST	**46,350.000 Cr**			
		SGST	**46,350.000 Cr**			
5-12-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/224	47,66,325.000	
		Sales GST	**46,27,500.000 Cr**			
		CGST	**69,412.500 Cr**			
		SGST	**69,412.500 Cr**			
17-12-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			7,00,000.000
18-12-2018	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			9,20,000.000
22-12-2018	Cr	**(as per details)**	**Sales**	RRPL/2018-19/246	16,07,830.000	
		Sales GST	**15,61,000.000 Cr**			
		CGST	**23,415.000 Cr**			
		SGST	**23,415.000 Cr**			
1-1-2019	Cr	**(as per details)**	**Sales**	RRPL/2018-19/261	32,46,560.000	
		Sales GST	**31,52,000.000 Cr**			
		CGST	**47,280.000 Cr**			
		SGST	**47,280.000 Cr**			
10-1-2019	Cr	**(as per details)**	**Sales**	RRPL/2018-19/269	16,53,150.000	
		Sales GST	**16,05,000.000 Cr**			
		CGST	**24,075.000 Cr**			
		SGST	**24,075.000 Cr**			
25-1-2019	Cr	**(as per details)**	**Sales**	RRPL/2018-19/290	33,37,200.000	
		Sales GST	**32,40,000.000 Cr**			
		CGST	**48,600.000 Cr**			
		SGST	**48,600.000 Cr**			
		Carried Over			1,37,71,62,403.000	63,51,04,072.000

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Royal Refinery Pvt Ltd
Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019 — Page 743

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			1,37,71,62,403.000	63,51,04,072.000
25-1-2019	Cr	**(as per details)**	**Sales**	RRPL/2018-19/291	33,39,260.000	
		Sales GST	**32,42,000.000 Cr**			
		CGST	**48,630.000 Cr**			
		SGST	**48,630.000 Cr**			
1-2-2019	Dr	**(as per details)**	**Purchase**	Local/18-19/39		2,49,63,080.000
		Purchase GST	**2,42,36,000.000 Dr**			
		CGST	**3,63,540.000 Dr**			
		SGST	**3,63,540.000 Dr**			
7-2-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			1,75,46,500.000
12-2-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			60,45,000.000
14-2-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			2,47,25,000.000
	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			5,01,00,000.000
15-2-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			2,02,50,000.000
20-2-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			2,98,50,000.000
21-2-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			10,74,500.000
1-3-2019	Cr	**(as per details)**	**Sales**	RRPL/2018-19/336	6,79,80,000.000	
		Sales GST	**6,60,00,000.000 Cr**			
		CGST	**9,90,000.000 Cr**			
		SGST	**9,90,000.000 Cr**			
27-3-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			2,21,00,000.000
28-3-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			94,00,000.000
29-3-2019	Dr	**Yes Bank (Cash Credit Account)**	**Journal**			8,60,000.000
30-3-2019	Cr	**(as per details)**	**Sales**	RRPL/2018-19/370	6,57,14,000.000	
		Sales GST	**6,38,00,000.000 Cr**			
		CGST	**9,57,000.000 Cr**			
		SGST	**9,57,000.000 Cr**			
					1,51,41,95,663.000	84,20,18,152.000
	Dr	**Closing Balance**				67,21,77,511.000
					1,51,41,95,663.000	**1,51,41,95,663.000**
1-4-2019	Cr	**Opening Balance**			**67,21,77,511.000**	
18-4-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			99,25,000.000
19-4-2019	Cr	**(as per details)**	**Sales**	RRPL/2019-20/19	32,29,565.000	
		Sales GST	**31,35,500.000 Cr**			
		CGST	**47,032.500 Cr**			
		SGST	**47,032.500 Cr**			
23-4-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			1,00,50,000.000
2-5-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			10,25,000.000
	Cr	**(as per details)**	**Sales**	RRPL/2019-20/29	4,85,85,100.000	
		Sales GST	**4,71,70,000.000 Cr**			
		CGST	**7,07,550.000 Cr**			
		SGST	**7,07,550.000 Cr**			
4-5-2019	Cr	**(as per details)**	**Sales**	RRPL/2019-20/31	6,43,75,000.000	
		Sales GST	**6,25,00,000.000 Cr**			
		CGST	**9,37,500.000 Cr**			
		SGST	**9,37,500.000 Cr**			
9-5-2019	Dr	**Union Bank of India [A/c 408101010036700]**	**Receipt**			33,00,000.000
16-5-2019	Cr	**(as per details)**	**Sales**	RRPL/2019-20/41	9,85,71,000.000	
		Sales GST	**9,57,00,000.000 Cr**			
		CGST	**14,35,500.000 Cr**			
		SGST	**14,35,500.000 Cr**			
		Carried Over			88,69,38,176.000	2,43,00,000.000

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Royal Refinery Pvt Ltd
Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019 — Page 744

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			88,69,38,176.000	2,43,00,000.000
18-5-2019	Cr	**(as per details)**	**Sales**	RRPL/2019-20/44	8,19,88,000.000	
		Sales GST	**7,96,00,000.000 Cr**			
		CGST	**11,94,000.000 Cr**			
		SGST	**11,94,000.000 Cr**			
					96,89,26,176.000	2,43,00,000.000
	Dr	**Closing Balance**				94,46,26,176.000
					96,89,26,176.000	**96,89,26,176.000**

Royal Refinery Pvt Ltd
3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Pvt.Ltd.
Ledger Account
41, Vithalwadi, 2nd Floor,
Room No.23, Kalbadevi,
Mumbai-400 002.

1-Apr-2015 to 31-Mar-2018

Date	Particulars	Vch Type	Vch No.	Debit	Credit
1-4-2015	To **Opening Balance**			**34,17,675.00**	
1-4-2015	To **Gold Sale Account**	EXCISE SALES	2	3,15,72,600.00	
7-4-2015	To **Gold Sale Account**	EXCISE SALES	8	5,35,70,400.00	
21-4-2015	By Ratnakar Bank A/c 409000021501	Receipt			1,02,00,000.00
27-4-2015	By Yes Bank (Cash Credit Account)	Journal			50,00,000.00
28-4-2015	To **Gold Sale Account**	EXCISE SALES	9	4,01,47,501.00	
7-5-2015	To **Gold Sale Account**	EXCISE SALES	14	1,02,78,165.00	
14-5-2015	To **Gold Sale Account**	EXCISE SALES	17	1,74,72,196.00	
15-5-2015	By Ratnakar Bank A/c 409000021501	Receipt			2,27,40,650.00
	By Ratnakar Bank A/c 409000021501	Receipt			22,00,000.00
19-5-2015	To **Gold Sale Account**	EXCISE SALES	19	2,21,23,040.00	
27-5-2015	To **Gold Sale Account**	EXCISE SALES	21	2,43,79,380.00	
	By Yes Bank (Cash Credit Account)	Journal			25,00,000.00
28-5-2015	By Ratnakar Bank A/c 409000021501	Receipt			24,00,000.00
29-5-2015	By Yes Bank (Cash Credit Account)	Journal			32,00,000.00
1-6-2015	By Ratnakar Bank A/c 409000021501	Receipt			80,00,000.00
	By Yes Bank (Cash Credit Account)	Journal			55,00,000.00
2-6-2015	To **Gold Sale Account**	EXCISE SALES	27	2,70,93,250.00	
3-6-2015	By Yes Bank (Cash Credit Account)	Journal			1,40,00,000.00
9-6-2015	By Yes Bank (Cash Credit Account)	Journal			1,62,00,000.00
10-6-2015	By Yes Bank (Cash Credit Account)	Journal			82,00,000.00
20-7-2015	By Yes Bank (Cash Credit Account)	Journal			49,50,000.00
21-7-2015	By Yes Bank (Cash Credit Account)	Journal			40,30,000.00
	By Union Bank of India [A/c 408101010036700]	Receipt			10,00,000.00
22-7-2015	By Yes Bank (Cash Credit Account)	Journal			50,25,000.00
23-7-2015	By Yes Bank (Cash Credit Account)	Journal			52,20,350.00
3-9-2015	By Ratnakar Bank A/c 409000021501	Receipt			1,40,27,100.00
	By Ratnakar Bank A/c 409000021501	Receipt			1,63,23,315.00
4-9-2015	By Yes Bank (Cash Credit Account)	Journal			65,00,000.00
	By Yes Bank (Cash Credit Account)	Journal			26,75,000.00
	By Yes Bank (Cash Credit Account)	Journal			27,54,500.00
5-9-2015	By Ratnakar Bank A/c 409000021501	Receipt			53,00,000.00
7-9-2015	By Ratnakar Bank A/c 409000021501	Receipt			15,25,000.00
8-9-2015	By Ratnakar Bank A/c 409000021501	Receipt			3,50,000.00
	Carried Over			23,00,54,207.00	16,98,20,915.00

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Royal Refinery Pvt Ltd 49

Shalibhadra Exports Pvt.Ltd. Ledger Account : 1-Apr-2015 to 31-Mar-2018 Page 2

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			23,00,54,207.00	16,98,20,915.00
9-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			50,25,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			10,25,000.00
	By	Ratnakar Bank A/c 409000021501	Receipt			59,85,000.00
10-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			51,80,000.00
11-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			53,00,000.00
	By	Yes Bank (Cash Credit Account)	Journal			1,30,00,000.00
14-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			14,72,000.00
16-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			50,00,000.00
22-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			26,00,000.00
29-9-2015	By	Ratnakar Bank A/c 409000021501	Receipt			1,58,00,000.00
	To	Shalibhadra Exports Private Limited (Local)	Journal		1,53,708.00	
2-3-2016	To	Gold Sale Account	EXCISE SALES	39	1,49,67,480.00	
12-3-2016	To	Gold Sale Account	EXCISE SALES	40	1,60,11,864.00	
	By	Shalibhadra Exports Private Limited (Local)	Journal			3,09,79,344.00
					26,11,87,259.00	**26,11,87,259.00**
9-6-2016	To	Gold Sale Account	EXCISE SALES	01	2,16,89,994.00	
11-6-2016	To	Gold Sale Account	EXCISE SALES	02	2,73,16,410.00	
	By	Shalibhadra Exports Private Limited (Local)	Journal			4,90,06,404.00
					31,01,93,663.00	**31,01,93,663.00**

18. The Respondent No. 1, Respondent No. 2 and Respondent No. 3, vide their replies, submitted an audited tally data whereby the entire outstanding receivable of Rs. 121.44 crores stood reverse and therefore, there was no sum repayable by Respondent No. 1 to the Corporate Debtor. The copy of the ledger provided by the Respondent No. 1, Respondent No. 2 and Respondent No. 3 captured the following;
    a. Unilateral Purchase entries were passed in a "debtor/customer" account amounting to approx. Rs. 84.75crores;
    b. Unilateral Sales entries (4 in nos.) were deleted from the ledger aggregating to approx. Rs. 29.36 crores. It is important to note that these entries were seen in the records as seized by DRI;
    c. The remaining balance stood nullified by passing unilateral

"journal entries" of approx. Rs. 22.09crores.

Thereby the entire balance of Rs. 121.44 crores which was receivable by Respondent No. 1 was wiped out and NIL balance was shown by Respondent No. 1, Respondent No. 2 and Respondent No. 3 in their unaudited balance sheets. It is pertinent to note that these transactions have been recorded for the period between May, 2019 to November, 2019. The ledger statement as filed by Respondent 2& 3 is extracted below:

"EXHIBIT-A"
(Colly.)

Royal Refinery Pvt. Ltd.- Final
3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Private Limited (Jewellery)
Ledger Account
41, Vithalwadi,
2nd Floor, Rno-23.
Kalbadevi Road,
Mumbai-4000002

1-Apr-2018 to 13-Nov-2019

Page 1

Date		Particulars	Vch Type	Vch No.	Debit	Credit
1-4-2018	By	**Opening Balance**				**2,23,266.000**
4-2-2019	To	**Sales GST**	Sales	RRPL/JW/01	2,03,44,273.660	
1-3-2019	To	**Sales GST**	Sales	RRPL/JW/03	5,90,02,984.530	
13-3-2019	To	**Sales GST**	Sales	RRPL/JW/04	3,01,59,405.280	
19-3-2019	To	**Sales GST**	Sales	RRPL/JW/05	4,57,87,479.920	
30-3-2019	To	**Sales GST**	Sales	RRPL/JW/10	6,57,38,019.600	
					22,10,32,162.990	2,23,266.000
	By	**Closing Balance**				22,08,08,896.990
					22,10,32,162.990	**22,10,32,162.990**
1-4-2019	To	**Opening Balance**			**22,08,08,896.990**	
1-4-2019	By	Shalibhadra Exports Private Limited (Local)	Journal			22,08,08,896.990
					22,08,08,896.990	**22,08,08,896.990**

Royal Refinery Pvt. Ltd.- Final
3-E,Trishla Premises Co-Op Society Ltd.
3rd Floor, Sheikh Menon Street,Mumbai 400 002.
Mfg Unit : D/328 TTC, Industrial Estate,
MIDC Turbhe, Navi Mumbai -400703
Company's Vat TIN :27480909738 V
Company's Vat TIN :27480909738 C
C.Ex.Regn.No. AAFCR7596EEM003
NIC Code: 27205
CIN: U74120MH2012PTC228597

Shalibhadra Exports Private Limited (Local)
Ledger Account
55/59, Offc No. 2H,
3rd Floor, Building No. 55/59, Champa Gali,
Mumbai-400002

1-Apr-2018 to 13-Nov-2019

Page 1

Date		Particulars	Vch Type	Vch No.	Debit	Credit
1-4-2018	To	**Opening Balance**			1,06,27,77,459.000	
2-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/01	63,18,020.000	
6-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/07	47,23,065.000	
10-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/11	56,97,342.000	
16-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/17	48,15,765.000	
19-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/20	51,78,016.000	
20-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/21	58,21,560.000	
25-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/26	80,64,900.000	
27-4-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			13,75,000.000
	To	**Sales GST**	Sales	RRPL/2018-19/30	64,18,960.000	
30-4-2018	To	**Sales GST**	Sales	RRPL/2018-19/31	79,92,800.000	
1-5-2018	To	**Sales GST**	Sales	RRPL/2018-19/32	1,27,26,680.000	
5-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			4,73,80,000.000
7-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			7,50,00,000.000
	By	Union Bank of India [A/c 408101010036700]	Receipt			5,02,22,460.000
8-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			3,25,00,000.000
	By	Union Bank of India [A/c 408101010036700]	Receipt			4,98,00,000.000
9-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			4,96,50,000.000
10-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			2,71,00,000.000
15-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			3,56,50,000.000
16-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			3,21,00,000.000
	To	**Sales GST**	Sales	RRPL/2018-19/35	1,11,75,500.000	
18-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			2,91,50,000.000
22-5-2018	To	**Sales GST**	Sales	RRPL/2018-19/38	1,59,90,750.000	
23-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			5,62,5[illegible]
24-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			4,75,00,[illegible]
25-5-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			1,02,40,300.[illegible]
30-5-2018	To	**Sales GST**	Sales	RRPL/2018-19/40	2,07,67,890.000	
4-6-2018	To	**Sales GST**	Sales	RRPL/2018-19/43	1,89,47,880.000	
6-6-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			34,50,312.000
7-6-2018	To	**Sales GST**	Sales	RRPL/2018-19/46	1,26,48,400.000	
18-6-2018	By	Union Bank of India [A/c 408101010036700]	Receipt			1,02,00,000.000
22-6-2018	To	**Sales GST**	Sales	RRPL/2018-19/51	1,09,66,410.000	
2-7-2018	To	**Sales GST**	Sales	RRPL/2018-19/52	93,93,600.000	
		Carried Over			1,23,04,24,997.000	55,75,68,072.000

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NOTARY
M.M. PARALE
Reg.No.
Expiry Dt.
30-10-2024
GOVT. OF INDIA

continued ...

Royal Refinery Pvt. Ltd.- Final
Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019 Page 2

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			1,23,04,24,997.000	55,75,68,072.000
6-7-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/56	1,57,59,000.000	
7-7-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			25,70,400.000
13-7-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/60	1,39,74,525.000	
17-7-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/63	92,85,450.000	
26-7-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/69	1,23,14,680.000	
27-7-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			50,25,300.000
30-7-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/74	1,07,32,085.000	
16-8-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/88	45,36,120.000	
	To	**Sales GST**	**Sales**	RRPL/2018-19/87	30,24,080.000	
29-8-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			1,20,45,300.000
6-9-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			1,88,25,000.000
11-9-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			1,43,50,000.000
	To	**Sales GST**	**Sales**	RRPL/2018-19/113	31,50,770.000	
12-9-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/114	47,30,790.000	
8-10-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/143	64,10,720.000	
9-10-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/144	31,98,150.000	
20-10-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			33,00,000.000
22-10-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			25,50,000.000
23-10-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			97,25,000.000
27-10-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/167	32,73,340.000	
30-10-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/170	48,89,925.000	
1-11-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/172	65,42,560.000	
2-11-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/173	81,60,176.000	
5-11-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			55,25,000.000
23-11-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/204	1,10,60,140.000	
26-11-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/205	31,63,130.000	
1-12-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			20,00,000.000
	To	**Sales GST**	**Sales**	RRPL/2018-19/216	15,70,750.000	
3-12-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/218	31,67,250.000	
4-12-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/219	31,82,700.000	
5-12-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/224	47,66,325.000	
17-12-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			7,00,000.000
18-12-2018	By	Union Bank of India [A/c 408101010036700]	**Receipt**			9,20,000.000
22-12-2018	To	**Sales GST**	**Sales**	RRPL/2018-19/246	16,07,830.000	
1-1-2019	To	**Sales GST**	**Sales**	RRPL/2018-19/261	32,46,560.000	
10-1-2019	To	**Sales GST**	**Sales**	RRPL/2018-19/269	16,53,150.000	
25-1-2019	To	**Sales GST**	**Sales**	RRPL/2018-19/290	33,37,200.000	
	To	**Sales GST**	**Sales**	RRPL/2018-19/291	33,39,260.000	
1-2-2019	By	**Purchase GST**	**Purchase**	Local/18-19/39		2,49,63,080.000
7-2-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			1,75,46,500.000
12-2-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			60,45,000.000
14-2-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			2,47,25,000.000
	By	Union Bank of India [A/c 408101010036700]	**Receipt**			5,01,00,000.000
15-2-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			2,02,50,000.000
20-2-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			2,98,50,0[illegible]
21-2-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			10,74[illegible]
1-3-2019	To	**Sales GST**	**Sales**	RRPL/2018-19/336	6,79,80,000.000	
27-3-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			2,21,00,00[illegible]
28-3-2019	By	Union Bank of India [A/c 408101010036700]	**Receipt**			94,00,000.000
29-3-2019	By	**Yes Bank (Cash Credit Account)**	**Journal**			8,60,000.000
		Carried Over			1,44,84,81,663.000	84,20,18,152.000

NOTARY
M.M. PABALE
Mumbai
Maharashtra
Reg.No. 15220
Expiry Dt. 30-10-2024
GOVT. OF INDIA

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continued ...

Royal Refinery Pvt. Ltd.- Final
Shalibhadra Exports Private Limited (Local) Ledger Account : 1-Apr-2018 to 13-Nov-2019 Page 3

Date		Particulars	Vch Type	Vch No.	Debit	Credit
		Brought Forward			1,44,84,81,663.000	84,20,18,152.000
30-3-2019	To	**Sales GST**	Sales	RRPL/2018-19/370	6,57,14,000.000	
					1,51,41,95,663.000	84,20,18,152.000
	By	**Closing Balance**				67,21,77,511.000
					1,51,41,95,663.000	**1,51,41,95,663.000**
1-4-2019	To	**Opening Balance**			**67,21,77,511.000**	
1-4-2019	To	Shalibhadra Exports Private Limited (Jewellery)	Journal		22,08,08,896.990	
18-4-2019	By	Union Bank of India [A/c 408101010036700]	Receipt			99,25,000.000
19-4-2019	To	**Sales GST**	Sales	RRPL/2019-20/19	32,29,565.000	
23-4-2019	By	Union Bank of India [A/c 408101010036700]	Receipt			1,00,50,000.000
2-5-2019	By	Union Bank of India [A/c 408101010036700]	Receipt			10,25,000.000
9-5-2019	By	Union Bank of India [A/c 408101010036700]	Receipt			33,00,000.000
3-6-2019	By	**Custom Duty Import Gold**	Journal			1,00,00,000.000
7-6-2019	By	**Custom Duty Import Gold**	Journal			1,00,00,000.000
17-6-2019	By	**Daimler Financial Services**	Journal			1,62,000.000
18-6-2019	By	Vishalchoudhary (Remuneration Payable)	Journal			1,35,901.000
27-6-2019	By	**Daimler Financial Services**	Journal			1,500.000
4-7-2019	By	**Yes Bank (Cash Credit Account)**	Journal			2,00,000.000
26-7-2019	By	**Purchase GST**	Purchase	Local/19-20/02		35,63,800.000
	By	**Daimler Financial Services**	Journal			1,63,677.000
	By	Vishalchoudhary (Remuneration Payable)	Journal			68,700.000
1-8-2019	By	**Purchase GST**	Purchase	Local/19-20/03		8,71,63,750.000
	By	**Purchase GST**	Purchase	Local/19-20/04		5,59,49,600.000
2-8-2019	By	**Purchase GST**	Purchase	Local/19-20/05		7,12,34,800.000
	By	**Purchase GST**	Purchase	Local/19-20/06		3,20,18,580.000
3-8-2019	By	**Purchase GST**	Purchase	JW/01/19-20		5,82,57,006.000
4-8-2019	By	**Purchase GST**	Purchase	Local/19-20/07		6,45,19,200.000
5-8-2019	By	**Purchase GST**	Purchase	Local/19-20/08		7,14,40,800.000
8-8-2019	By	**Purchase GST**	Purchase	Local/19-20/10		6,42,61,700.000
10-8-2019	By	**Purchase GST**	Purchase	Local/19-20/11		5,70,87,750.000
22-8-2019	By	**Daimler Financial Services**	Journal			1,63,394.000
	By	Vishalchoudhary (Remuneration Payable)	Journal			68,700.000
23-8-2019	By	**Purchase GST**	Purchase	Local/19-20/12A		8,71,16,370.000
26-8-2019	By	**Purchase GST**	Purchase	Local/19-20/14		4,70,91,600.000
27-8-2019	By	**Purchase GST**	Purchase	Local/19-20/17		4,73,38,800.000
13-9-2019	By	**Custom Duty Import Gold**	Journal			25,00,000.000
19-9-2019	By	**Daimler Financial Services**	Journal			1,63,820.000
	By	Vishalchoudhary (Remuneration Payable)	Journal			67,700.000
25-10-2019	By	Vishalchoudhary (Remuneration Payable)	Journal			68,118.000
4-11-2019	By	**Purchase GST**	Purchase	Local/19-20/25		7,92,78,059.700
5-11-2019	By	**Purchase GST**	Purchase	Local/19-20/26		97,07,750.000
	By	**Purchase GST**	Purchase	Local/19-20/27		1,21,26,133.350
					89,62,15,972.990	89,62,19,209.050
	To	**Closing Balance**			3,236.060	
					89,62,19,209.050	**89,62,19,209.050**

19. It is interesting to note that the replies filed by the Respondent No. 2 and Respondent No. 3 in IA. 1212 of 2020seeking cooperation from the erstwhile directors under section 19(2) of the Code also annexed the copies of the unaudited balance sheet for the period from 1st April 2018 to31st March, 2019 and 1st April, 2019 to 30thNovember, 2019.These unaudited balance sheets evidenced

that an outstanding balance of Rs. 89.29 crores was receivable from Respondent No. 1. In order to escape the wrath of provisions of Sections 66, 69, 70, 71 and 72 of the Code, the Respondent Nos. 2 and 3 created new book entries to clear the balances which otherwise remained payable by Respondent No. 1 to Corporate Debtor.

20. The unaudited balance sheet shows certain purchase entries in the customer’s ledger accounts. There was no explanation regarding the invoices, description of goods and purchase orders being no reference to purchase orders. The ledger account only goes to show that goods to that worth of Rs. 84.75 crores were purchased from the Respondent No. 1. Further no record is produced to show payment of GST towards the said sales.

21. It is apparent from the face of the unaudited balance sheet filed in I.A. 1212 of 2020 and the ledger account filed in the present I.A. and there is complete creation of ledger accounts to clear the liability of the Respondent No. 1.

22. It is relevant to refer Section 66 of the Code which is produced as below:

“Section 66- Fraudulent trading or wrongful trading

(1) If during the corporate insolvency resolution process or a liquidation process, itis found that any business of the corporate debtor has been carried on with intent to defraud creditors of the corporate debtor or for any fraudulent purpose, the Adjudicating Authority may on the application of the resolution professional pass an order that any persons who were knowingly parties to the carrying on of the business in such manner shall be liable to make such contributions to the assets of the corporate debtor as it may deem fit.

(2) On an application made by a resolution professional during the corporate insolvency resolution process, the Adjudicating Authority may by an order direct that a director or partner of the corporate debtor, as the case may be, shall be liable to make such contribution to the assets of the corporate debtor as it may deem fit, if-

(a) before the insolvency commencement date, such director or partner knew or ought to have known that the there was no reasonable prospect of avoiding the commencement of a corporate insolvency resolution process in respect of such corporate debtor; and

(b) such director or partner did not exercise due diligence in minimising the potential loss to the creditors of the corporate debtor.

(3) Notwithstanding anything contained in this section, no application shall be filed by a resolution professional under sub-section (2), in respect of such default against which initiation of corporate insolvency resolution process is suspended as per section 10A."

23. At the outset the provisions of the Code does not require a "pre-existence" of "means-rea" and the Resolution Professional is warranted to file an application for "avoidance of transaction" once he ***"shall form an opinion"*** whether the Corporate Debtor has been subjected to any transaction covered under section 43, 45, 50 or 66. Reference is made to Regulation 35A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016:

"35A. Preferential and other transactions.

(1) On or before the seventy-fifth day of the insolvency commencement date, the resolution professional ***shall form an***

opinion *whether the corporate debtor has been subjected to any transaction covered under sections 43, 45, 50 or 66.*

(2) Where the resolution professional ***is of the opinion*** *that the corporate debtor has been subjected to any transactions covered under sections 43, 45, 50 or 66, he shall make a determination on or before the one hundred and fifteenth day of the insolvency commencement date, under intimation to the Board.*

(3) Where the resolution professional makes a determination under sub-regulation (2), he shall apply to the Adjudicating Authority for appropriate relief on or before the one hundred and thirty-fifth day of the insolvency commencement date.

Hence the contention of Respondent that there is no "meeting of mind" or "means-rea" is not a pre-requisite for filing and pursuing an application under section 66 of the Code. In fact the Regulation 35A of IBBI (CIRP) Regulations, 2016 uses the words "shall form an opinion" which means that the Resolution Professional is mandated to form an opinion and is not subjected to any onerous requirement of "proving" means-rea.

24. Section 66 (1) imposes a liability on any persons who were knowingly parties to the carrying on of business with a dishonest intent to defraud creditors, to make contributions to the assets of the corporate debtor as per the order of the Adjudicating Authority.

25. The use of phrase 'any persons' in section 66(1) suggest that 'outsiders' can also be liable for fraudulent trading, as long as they had a dishonest intention of fraudulently carrying on such trade. The provision is not only restricted to 'insiders' like employees, directors or partners. It is wide enough to include fraud on behalf of third parties like other corporate persons and creditors. In this case covers the conduct of Respondent No 1.

26. The words used in section 66(1) i.e. "...the Adjudicating Authority may on the application of the resolution professional pass an order that any persons who were knowingly parties to the carrying on of the business in such manner shall be liable to make such contributions to the assets of the corporate debtor as it may deem fit , shows that Adjudicating Authority has the power to demand contribution to the assets of the corporate debtor, from the defrauding party. In this case Respondent No 1 party would be responsible, without any limitation of liability, for the losses cause due to their fraudulent trading.

27. It is also important to note that unlike provisions of section 43 and 45, section 66 does not have a "look back period". The primary reason behind not having a look-back period in the wisdom of the law maker is to ensure that no person who has acted dishonestly against the interests of stakeholders and creditors of the Corporate Debtor, should not be allowed to get away by using the defence of lapse of time.

28. Section 66(2) deals with a scenario where the directors take action at the instant onset of any financial distress, with sufficient due diligence. Hence, directors can be punished under this section even if they did not have a dishonest intention, but acted negligently and recklessly, hence exposing the company to further risk due to such actions.

29. Section 66 (2) provides for a broad spectrum of actions a director could possibility take to mitigate losses, the Adjudicating Authority would ascertain whether the director has acted as a reasonable competent director would, based on the special skills he is required to possess.

30. It is important to note that the directors cannot plead ignorance or lack of knowledge under Section 66 (2). The directors have a twofold duty to ensure that the interests of the stakeholders are secured and to ensure that the company does not incur any further debts during the twilight period. Directors must also make an active effort in the rehabilitation and revival of the company.

31. Upon perusal of the above records, there is a clear demonstration of Respondent No. 2 and Respondent No. 3 in the capacity of erstwhile directors connived with Respondent No. 1 to create such documents of ledger accounts knowing fully well that if these entries were not created they would squarely covered under the rigour of section 66 of the Code.

32. The professional appearing for the applicant further relied upon the judgement of the Hon'ble Supreme Court reported in the case of Official Liquidator, Supreme Bank Ltd. v/s. P A. Tendolkar [1973] 1 SCC 602 wherein the Apex court has held:

> *"(6)It is a question of fact, to be determined upon the evidence in each case, whether a Director, alleged to be liable for misfeasance, had acted reasonably as well as honestly and with due diligence, so that he could not be held liable for conniving at fraud and misappropriation which takes place. A Director may be shown to be so placed and to have been so closely and so long associated personally with the management of the Company that he will be deemed to be not merely cognizant of but liable for fraud in the conduct of the business of a Company even though no specific act of dishonesty is proved against him personally.*

33. He further relied upon the judgement of the Hon'ble NCLAT in the

case of Vijay Pal Garg & Ors vs Pooja Bahry (Liquidator of Gee Ispat Private Limited) [Company Appeal (AT) (Insolvency)No.949of2019] wherein the Hon'ble NCLAT was dealing with identical facts of an Application filed by RP under section 66 and it was found that the records and accounts of the Corporate Debtor have been falsified and eventually proceeded to trigger an investigation under section 213 of the Companies Act 2013.

Hon'ble NCLAT held as under (relevant operative part of the Order):

> *"24. In the instant case, it comes to be known that the Applicant/Resolution Professional came across various instances and materials to exhibit that the business of Corporate Debtor was carried on with in intent to defraud its creditors and for fraudulent purposes by the erstwhile management of the 'Corporate Debtor'. Apart from that, the Applicant/Respondent had grounds to believe that CIRP of the 'Corporate Debtor' was initiated fraudulently and/or with malicious intent for a purpose other than for 'Resolution of Insolvency' or Liquidation of Corporate Debtor. Before the Adjudicating Authority the Applicant/Resolution Professional in the application had averred that directions (in suspension) of the Corporate Debtor had not deliberately disclosed the affairs of the 'Corporate Debtor' from time to time to the Applicant / Resolution Professional and indulged in falsification and determination of Books and Records of the 'Corporate Debtor' and made willful and material omissions relating to its affairs and further defrauded its creditors... In reality, the Applicant/Resolution Professional filed the application before the Adjudicating Authority in terms of Sections 60(5), 66, 67, 70, 71, 72, 73 and 235A of the I&B Code and sought the undermentioned reliefs which run as under..*
>
> *25. The Resolution Professional/Applicant found discrepancies in the Accounts of Corporate Debtor i.e. (i) non-existence of Debtors and that the recent Balance sheet of the Corporate Debtor reflected Debtors of Rs.191crores (Approx.) as trade receivables etc. In fact the Resolution Professional/Applicant*

after taking charge, grew suspicious of the genuineness/veracity of dates and receivables pursuant to the non-delivery of letters to the debtors. The Resolution Professional / Applicant later came to know that most of the addresses of the 'Debtors' as shown in the Tally either had not existed or even if they had existed, there was no such Companies/Firms found in the 'Addresses' described.

26. Moreover, inspite of sending representatives to numerous debtors, 90% of the addressees had not existed or the firms were not in existence at the given addresses, in the tally. Based on the Financial Audited Balance sheet of the year 2012-13, the discrepancies were pointed out and it was evident that there was falsification of the Accounts of the Corporate Debtor. Besides this, although the outstanding debts in the Books was Rs.200 crores and that the Corporate Debtor being in trouble with a Debt of Rs.500 crores, to pay the same to the 'Financial Creditors'. There was no record to show that the steps taken by the Directors relating to the recovery of the outstanding sum, payable to it."

Conclusion:

34. Upon perusal of the unaudited balance sheets for the year 1st April 2018 to 31st March, 2019 and 1st April, 2019 to 13thNovember, 2019, as produced in IA 1212/2020 filed by the Resolution Professional and copies of unaudited Balance sheets for the same year, as produced/filed in the present IA, it can be said that, both the unaudited balance sheets relates to the same year, but contains different data, it is evident that there has been a clear falsification/ fabrication of accounts of the CD. These unaudited balance sheets evidenced that an outstanding balance of Rs. 89.29 crores was receivable from Respondent No. 1. In order to escape the wrath of provisions of Sections 66, 69, 70, 71 and 72 of the Code, the Respondent Nos. 2 and 3 created new book entries to clear the entire outstanding balances which otherwise remained payable by Respondent No. 1 to Corporate Debtor.

35. The mere purchase entries in the ledger accounts without description of invoices and purchase orders does not substantiate the claim of purchase made by and between Respondent No. 1 and Respondent No. 2 and 3 herein. Further no record is produced to show payment of GST towards the said sales. Hence it is concluded that the above transactions are fraudulent in nature and there has been no sale of gold by Respondent No. 2 & 3 to Respondent No.1 and therefore Respondent No.1 is liable to refund the monies outstanding in the books of Accounts of the Corporate Debtor.

36. This is the serious offence committed by the Respondent No. 1, Respondent No. 2 and Respondent No. 3 and the Respondent No. 1 being beneficiary of falsification of documents.

37. This Tribunal doth orders as follows:

a) The Respondent No.1 is directed to refund Rs. 1,21,44,41,476/- immediately forthwith.

b) The IA is allowed and disposed off with the above direction.

Sd/- Chandra Bhan Singh Member(Technical)	Sd/- Suchitra Kanuparthi Member(Judicial)