



**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL
COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 02.03.2026 AT
10.30 A.M. THROUGH VIDEO CONFERENCING:**

**PRESENT: SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : IA(IBC)(LIQ.)/28(CHE)2025
PETITION NUMBER : CP(IB)/152(CHE)2023
**NAME OF THE APPLICANT : P.Balasubramaniam RP of M/s Gugnani
Leasing & Hire Purchase Pvt Ltd**
NAME OF THE RESPONDENT(S) : --
UNDER SECTION : Section 33 of IBC, 2016

ORDER

Present: Ld. Counsel Mr. Sathiyarayanan Srinivasan for the Applicant.

Vide separate order pronounced in open court, Application is allowed.

**-SD-
RAVICHANDRAN RAMASAMY
Member (Technical)**

**-SD-
JYOTI KUMAR TRIPATHI
Member (Judicial)**



**IN THE NATIONAL COMPANY LAW TRIBUNAL,
DIVISION BENCH – II, CHENNAI**

IA /IBC (LIQ) / 28 (CHE) / 2025

In

CP (IB) / 152 / (CHE) / 2023

(Under Section 33(2) r/w Rule 11 of NCLT, Rules, 2016)

In the matter of M/s. Gugnani Leasing and Hire Purchase Private Limited

Mr. P. Balasubramaniam,
Resolution Professional of
Gugnani Leasing and Hire Purchase Private Limited
No. 85/3, Sukkaliyur,
Karuppampalayam Village,
Karur, Tamil Nadu – 639 003.

... Applicant/ Resolution Professional

Order Pronounced on 2nd March 2026

CORAM

Shri JYOTI KUMAR TRIPATHI, MEMBER (JUDICIAL)

Shri RAVICHANDRAN RAMASAMY, MEMBER (TECHNICAL)

Present:

*For RP: S.Sathiyarayanan, G.Thyagarajan, C.Lokanadham, B.Sridharan,
D.Pavithra V.Bathri Narayan, Advocates*

ORDER

(Heard through hybrid mode)

The Present application has been filed under Section 33 of the Insolvency & Bankruptcy code, 2016 (herein after termed as “the Code”) by **Mr. P. Balasubramaniam**, RP of **M/s. Gugnani Leasing and Hire Purchase Private Limited**, i.e. the Corporate Debtor (hereinafter referred as “CD”) seeking following reliefs hereby:



"V. RELIEF SOUGHT:

Under the above facts and circumstances, the applicant humbly prays that this Hon'ble Tribunal may be pleased to:

- a) Pass an order of Liquidation of the Corporate Debtor viz., M/s. Gugnani Leasing and Hire Purchase Private Limited;*
- b) Appoint the Applicant - Resolution Professional Liquidator of the Corporate Debtor on the following remuneration as approved by the CoC to be paid by the Promoter;*

Period	Fee
(a) the period, if any, used for compromise or arrangement under section 230 of the Companies Act, 2013;	Lumpsum Fee of Rs. 3 Lakhs plus applicable taxes and out of pocket expenses, if any
(b) the period, if any, used for sale under clauses (e) and (f) of regulation 32 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016; and	Lumpsum Fee of Rs. 3 Lakhs plus applicable taxes and out of pocket expenses, if any
(c) the balance period of liquidation	Rs. 1 Lakh per month, plus applicable taxes and out of pocket expenses, if any

- c) Pass such further or other orders/reliefs as may be deemed fit and proper in the facts and circumstances of the case and thus render justice.*

2. The Corporate Insolvency Resolution Process ("hereinafter referred as CIRP") of the Corporate Debtor was initiated vide order dated 27.06.2025 passed by this Tribunal in CP (IBC) / 30 (CHE) / 2023, upon the petition filed by the Corporate Debtor under section 10 of IBC. Mr. P. Balasubramaniam, having Registration No. IBBI/IPA-001/IP-P02867/2024-2025/14404 was appointed as the Interim Resolution Professional vide order dated 27.06.2025.

3. It is submitted that the Corporate Debtor is a private limited company incorporated on 23.06.1989, having its registered office at Chennai, with the



primary objective to carry on business of hire purchase, general finance, and investment.

4. It is submitted that public announcements were made on 04.07.2025 in Business Standard (English) and Hindu Tamil (Tamil) and invitations for submission of claims were issued. The Applicant received claims from various creditors of the CD and collated the claims and constituted the CoC on 24.07.2025 and the same was filed before this Tribunal on 13.08.2025.

5. It is further submitted the Corporate Debtor had passed a Board Resolution on 15.12.2022 where it approved the initiation of CIRP and the Extra ordinary General Meeting dated 26.04.2023 had also approved the initiation of CIRP by the shareholders.

6. It is submitted that the 1st meeting of CoC was held on 01.08.2025. Then IRP was later appointed as the Resolution Professional by the Committee of Creditors (CoC) on 09.08.2025. The same was approved by the Hon'ble Tribunal vide Order dated 28.08.2025 in IA (IBC)/1323(CHE)2025.

7. The admitted claims as on 24.07.2025 are as follows,



S. No.	Name of Creditor	Nature of Claim	Amount of Claims Filed	% of Claim
1.	Bank of Baroda (Admitted)	Financial Creditor – Corporate Guarantee	9,81,33,04,563.45	72.23%
2.	Union Bank of India (Admitted)	Financial Creditor – Corporate Guarantee	3,77,36,27,470.10	27.77%
3.	Income Tax (Pending Admission)	Operational Creditor – Govt. Dues	38,71,66,255.00	-
4.	Dasava Corporate Services Pvt Ltd (Admitted)	Operational Creditor	37,000	-
5.	M Damodaran & Associates LLP (Admitted)	Operational Creditor	12,800	-
		Total	13,97,41,48,088.55	100%

8. It is further submitted that pursuant to the 4th CoC Meeting held on 06.10.2025, in accordance with Regulation 36A of the CIRP Regulations, an Expression of Interest (EOI) was published in Business Standard (English) and Makkal Kural (Tamil) on 25.08.2025, but stated that there was no resolution plans or EoIs received.

9. It is submitted that in the 4th CoC Meeting held on 06.10.2025, the proposal for liquidation was made for which the voting commenced on 08.10.2025 and ended on 31.10.2025. It is further submitted that the CoC member representing Bank of Baroda, holding a vote share of 72.23% voted in support of initiation of liquidation.

Sl. No.	Name of Creditor	Voting Share (%)	Voting for Resolution Plan (Voted for / Dissented / Abstained)	Voting for Liquidation (Voted for / Dissented / Abstained)
1.	Bank of Baroda	72.23	NA	Approved
2.	Union Bank of India	27.77	NA	Abstained



10. Heard the Ld. Counsel appeared on behalf of the applicant and perused the records.

11. From the Compliance certificate (Form H) attached with the application the dates and events subsequent to initiation of CIRP of the CD is as follows,

<i>S. No</i>	<i>Date</i>	<i>Events</i>
1.	27.06.2025	Commencement of CIRP
2.	27.06.2025	Mr. P. Balasubramaniam, appointed as IRP
3.	04.07.2022	Publication of FORM - A in The Financial Express (English) and The Hindu (Tamil).
4.	24.07.2025	Constitution of Committee of Creditors (CoC)
5.	01.08.2025	Date of first meeting of Committee of Creditors
6.	09.08.2025	Mr. P. Balasubramaniam, appointed as RP
7.	25.08.2025	Date of issue of invitation for EoI
8.	27.08.2025	Date of appointment of registered valuers
9.	04.10.2025	Date of Final List of Eligible Prospective Resolution Applicants
10.	09.10.2025	Date of Invitation of resolution plan
11.	08.11.2025	Last Date for Submission of Resolution Plan
12.	26.11.2023	Date of Invitation of Resolution Plan
13.	26.11.2023	Last Date of Submission of Resolution Plan
14.	The CD did not receive any EoI	Date of Placing it before the CoC

12. It is seen that the Applicant/ RP submitted FORM-H dated 11.11.2025 as per Regulation 39 (4) of the IBBI (Insolvency Resolution Process for Corporate



Persons) Regulations 2016. The same is placed at Page 40-50 of the application. As observed from Form-H, there is no PUFEE applications pending in respect of the CD.

13. It is noted that the factual matrix of the case clearly demonstrates that the CIRP has run its course without culmination in a viable Resolution Plan. Despite issuance of Form-G and lapse of statutory timelines, no Resolution Applicant has come forward. Thus, the CoC directed the Resolution professional to file application for Liquidation of the Corporate Debtor. In view of the above facts, this Tribunal finds it appropriate to initiate liquidation of the Corporate Debtor.

14. It is noted that *Mr. P. Balasubramaniam* has been proposed as the Liquidator in this application.

15. Therefore, we appoint *Mr. P. Balasubramaniam*, having *Reg. No. IBBI/IPA-001/IP-P02867/2024-2025/14404*, email id: karurbalaw@gmail.com, having valid **AFA upto 30-06-2027** as the Liquidator under Section 34(1) of the Code for the Corporate Debtor.

18. From the above facts and circumstances, considering the decision taken by the CoC of the Corporate Debtor, this Adjudicating Authority deems it fit to order Liquidation of the Corporate Debtor. Accordingly, we order **Liquidation** of the Corporate Debtor i.e. *M/s. Gugnani Leasing and Hire Purchase Private Limited* by appointing the above *Mr. P. Balasubramaniam* as the Liquidator to carry out the liquidation process subject to the following terms/directions: -



- 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 up to 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 a suitable application before this Adjudicating Authority.
- d. The Registry is directed to communicate this order to the Registrar of Companies, Chennai and the Insolvency and Bankruptcy Board of India;
- e. In terms of section 178 of the Income Tax Act, 1961, the Liquidator shall give necessary intimation to the Income Tax Department. In relation to other fiscal and regulatory authorities which govern the Corporate Debtor, the Liquidator shall also duly intimate about the order of liquidation.
- f. The order of Moratorium passed under Section 14 of the Insolvency and Bankruptcy Code, 2016 shall cease to have its effect and a fresh Moratorium under Section 33(5) of the Insolvency and Bankruptcy Code shall commence.



- g. 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.
- h. 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.
- i. The Liquidator shall submit individual 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 reports as are required to be filed under the relevant Regulations, in addition, shall also be duly filed by him with this Adjudicating Authority.
- j. Copy of this order be sent to the financial creditors, Corporate Debtor and the Liquidator for taking necessary steps and for extending the necessary cooperation in relation to the Liquidation process of the Corporate Debtor.
20. Accordingly, with the above directions, *IA (IBC)(LIQ)/ 28 (CHE)/ 2025 in CP/ 152 (CHE) / 2023* stands *allowed and disposed of*.

-Sd-
RAVICHANDRAN RAMASAMY
MEMBER (TECHNICAL)

-Sd-
JYOTI KUMAR TRIPATHI
MEMBER (JUDICIAL)