

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH-I, CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **04.02.2025** THROUGH VIDEO CONFERENCING

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

IN THE MATTER OF : SR Marine & Offshoe Engineering Pvt. Ltd.
Vs
M N Horological Industries Pvt. Ltd.

MAIN PETITION NUMBER : CP/1441/IB/2018

(IA/MA) APPLICATION NUMBERS

IA(DIS)/37(CHE)2024

ORDER

Present: Ms. Varshini A., Ld. Counsel for the Applicant/Liquidator.

Vide separate order pronounced in the Open Court, the application is allowed and the Company M/s. M N Horological Industries Pvt. Ltd. is dissolved.

File be consigned to records.

Sd/-
VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)

Sd/-
SANJIV JAIN
MEMBER (JUDICIAL)

vs

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
DIVISION BENCH - I, CHENNAI**

IA (IBC)(Dis)/37(CHE)/2024

In

CP/1441/IB/2018

(Filed under Section 54 of the Insolvency and Bankruptcy Code, 2016)

In the matter of M.N.Horological Industries Private Limited

Mr. L.V.Shyam Sundar

Liquidator of M/s. M.N.Horological Industries Private Limited,
IBBI/IPA-002/IP-N00262/2017-18/10775,
3rd Floor, No.113/52, Ankur Plaza,
GN Chetty Road, Parthasarathi Puram,
T. Nagar, Chennai-600017

... Liquidator/Applicant

Order Pronounced on 04th of February, 2025

CORAM

SANJIV JAIN, MEMBER (JUDICIAL)

VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

*For Applicant: Sriram Venkatavardan, Saai sudharsan
Sathiyamoorthy, Varshni A and
Anand Madhavan S, Advocates*

ORDER

(Hearing Conducted through VC)

1. This Application has been filed under Section 54 of the Insolvency and Bankruptcy Code, 2016 by the Liquidator of the

Corporate Debtor herein seeking for an order for Dissolution of the Corporate Debtor viz., M.N.Horological Industries Private Limited.

2. It is stated that CIRP of the Corporate Debtor was initiated by this Tribunal vide order dated 23.07.2019 in CP(IB)/1441(CHE)/2018 and the Applicant herein was appointed as Interim Resolution Professional (IRP) and thereafter as Resolution Professional (RP).

3. It is stated that, the Applicant issued a public announcement in Form A on 30.07.2019 and invited for the submission of claims from the creditors of Corporate Debtor.

4. It is stated that in the 6th meeting held on 18.01.2020, the CoC passed a resolution to liquidate the CD. Pursuantly, the Applicant filed MA/103/2020 in CP(IB)/1441(CHE)/2018 before this Tribunal. Subsequently, this Tribunal vide order dated 05.05.2020 passed an order liquidating the Corporate Debtor and appointed the Applicant herein as the liquidator.

5. It is stated that pursuant to the appointment as liquidator, the Applicant issued a public announcement in Form-B in two newspapers viz., Trinity Mirror(English) and in Makkal Kural(Vernacular Tamil) inviting claims from the stakeholders in accordance with the provisions of Insolvency and Bankruptcy Code, 2016 (hereinafter IBC,2016) on 17.07.2020. It is stated that, the Applicant received claims and the composition of the Stakeholders' Consultation Committee stood modified upon approval from this Tribunal.

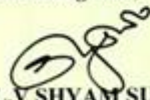
6. It is stated that, the liquidator had duly received the claims from the various stakeholders of the CD and filed the list of stakeholders and constituted the Stakeholders' Consultation Committee in accordance with Regulations 30,31 and 31A of the Liquidation Process Regulations.

7. Modified list of stakeholders as provided by the Applicant is reproduced below:

Category of stakeholders	Summary of claims received		Summary of claims admitted		Amount of contingent claims	Amount of claims rejected	Amount of claims under verification	Details in annexure	Remarks, if any
	No. of claims	Amount (Rs.)	No. of claims	Amount (Rs.)					
Unpaid insolvency resolution process costs	-	-	-	-	129,124	-	NA	NA	NA
Liquidation costs incurred till date	-	-	-	-	26,00,816	-	NA	NA	NA
Secured financial creditors	1	77,54,130	1	77,54,130	0	0	0	1	NA
Unsecured financial creditors	5	2,53,41,268	5	1,70,12,545	0		0		Interest has not be admitted as there is no binding agreement between the Corporate Debtor & the Lender and no accrual of interest is

						8,328,723		2	reflected in the financial statements of the Company
Operational creditors (Workmen)	7	49,56,340	0	0	0	49,56,340	0	3	There is no substantial proof/evidence to prove they are employees of the company. No proof including employee ID, contract/agreement, pay slips, were submitted for verification.
Operational creditors (Employees)	-	-	0	0	0	0	0	NA	NA
Operational creditors (Government Dues)	-	-	0	0	0	0	0	NA	The tax implication on sale of asset needs to be ascertained.
Operational creditors (other than Workmen, Employees and Government Dues)	-	-	0	0	0	0	0	NA	NA
Other stakeholders, if any (other than financial creditors and operational creditors)	-	-	0	0	0	0	0	NA	NA
TOTAL	13	3,80,51,738	6	2,47,66,675	27,47,940	13285063	0		NA

Thanking You,



L.V SHYAM SUNDAR
IBBI/IPA-002/IP-N000262/2017-18/10775

Liquidator
M.N. Horological Industries Private Limited

Place: Chennai

Date: 21-02-2022

8. It is stated that, Bank of Baroda, a secured financial creditor, submitted the claim in Form-D dated 12.08.2020 and decided to relinquish its security interest to the liquidation estate and to receive proceeds from the sale of assets by the Applicant.
9. It is stated that, the liquidation period of one year as provided under Regulation 44 of the IBBI(Liquidation Process) Regulation, 2016 ended on 04.10.2021. The liquidator filed applications under Regulation 44(2) of the IBBI(Liquidation Process) Regulations, 2016 time after time for extension of the liquidation timeline. It is stated that, the final extension granted by this Tribunal ends on 30.11.2024 vide order dated 01.08.2024 in IA/1661(CHE)/2024.
10. It is stated that there are no pending applications before this Tribunal as on the date of this Application.
11. It is stated that, all the creditors of the CD have been duly settled in full. The details of the distribution made pursuant to Section 53 of the Code are annexed along with the Application as Annexure 21.
12. It is stated that, the liquidator has not identified any PUFEE transactions in the CD and no application in this regard was filed before this Tribunal.
13. It is stated that, all the quarterly progress reports with the NCLT and the IBBI were filed within the prescribed timelines as per Regulation 15 of the IBBI(Liquidation Process) Regulations, 2016.
14. It is stated that, the liquidator had opened current account with Yes Bank for the purpose of liquidation pursuant to Regulation 41 of

the IBBI (Liquidation Process) Regulations, 2016. It is stated that the Liquidator closed the Yes Bank Account on 27.11.2024.

15. It is stated that as on the date of the Application, the liquidator completed the liquidation process as per the regulations. It is stated that, the liquidator intimated all the statutory authorities regarding the commencement of liquidation and also the conclusion of the liquidation process.

16. The details of the relevant compliances as mandated under Section 54 of the IBC, 2016 read with the IBBI (Liquidation Process) Regulations, 2016 are listed hereunder:-

S. No	COMPLIANCE	AVERMENTS	PAGE NO. IN THE APPLICATION
1	Regulation 12	Public Announcement in Form B	40
2	Regulation 35(2)	Appointment of Registered Valuers where no valuation conducted during CIRP	NA
3	Regulation 31(2)	List of Stakeholders within 45 days of the Liquidation Commencement Date	Annexure 6, page no:57 Annexure 7, Page No.64
4	Regulation 31A	Constitution of Stakeholders Consultation Committee (SCC)	Annexure 6, page no:57 Annexure 7, Page No.64
5	Regulation 13	Preliminary Report dated 19-06-2018	Annexure 10 at Page 83
6	Regulation 34	Preparation of Asset Memorandum within Seventy-Five days from LCD dated 14.07.2022	Annexure 9 at Page 74
7	Regulation 41	Opening of Bank Account in the name of the company in Liquidation in "Union Bank of India"	Annexure 23, Page 803
8		Proof of Closure of the above Bank Account and other account in the name of the Company	Annexure 23, Page 818 & 818
9	Regulation 15	Quarterly Progress Reports and proof of filing the same before this Tribunal	Annexure 22, Page 294 (17 Progress Report)
10	Regulation 36	Asset Sale Reports after sale of assets	Annexure 12 at Page107, Annexure 14 at Page 122, Annexure 16 at Page 174
11	Regulation 42(2)	Proof of Distribution within Ninety days from the receipt of realization	Annexure 21 at Page 293
12	Regulation 45 (3)	Final report dated	Annexure 27 at Page 829
13	Regulation 5 (1) (e)	Compilation of Minutes of SCC	Annexure 18 at Page 198

14	Regulation 15	Audited Accounts of receipts and Payments	Annexure 24 at Page 820
15	Regulation 37	Completion of Liquidation Process within one year from Liquidation Commencement Date or extension if any, date of the order & period	<p>i. The liquidation expired on 04.10.2021 and it was extended until 02.04.2022.</p> <p>ii. The extended liquidation period expired on 02.04.2022 and it was extended until 01.10.2022.</p> <p>iii. The extended liquidation period expired on 01.10.2022 and it was extended until 01.02.2023.</p> <p>iv. The extended liquidation period expired on 01.02.2023 and it was extended until 01.08.2023.</p> <p>v. The extended liquidation period expired on 01.08.2023 and it was extended until 01.02.2024.</p> <p>vi. The extended liquidation period expired on 01.02.2024 and it was extended until 01.05.2024.</p> <p>vii. The extended liquidation period expired on 01.05.2024 and it was extended until 01.08.2024.</p> <p>viii. The extended period expired on 01.08.2024 and it was extended until 30.11.2024.</p>
16		To furnish of details of any application pending before the Adjudicating Authority if any in relation to CD	No
17		Form-H –Compliance Certificate	Annexure 27, page 829

17. We have heard Ld. Counsel for the Applicant and perused the report and synopsis filed by the Liquidator.

18. The liquidator has filed the Form H showing the realization and the distribution which are reproduced as under:

Realization:

4. (a) Liquidation value of the liquidation estate: Rs. 2,67,21,700/-
 (b) Amount realised from sale of liquidation estate: Rs.34,107,346/-

Sl. No.	Realizations	Amount (Rs.)
1.	Opening balance as on liquidation commencement date (A)	0
Realizations (B)		
2.	Auctions of assets	34,076,350
3.	Private sales of assets	-
4.	Assignment of not readily realizable assets	-
5.	Distribution of unsold asset	-
6.	Others The inventory of the Corporate Debtor was sold as scrap pursuant to	10,297.50

	the Order passed by the Hon'ble NCLT, Chennai in IA(IBC)/1230(CHE)/2024 in CP/1441/IB/2018 on 23.09.2024 wherein the Liquidator was directed to sell the inventory as scrap, as the inventory could not be sold in the ordinary course as there were no buyers for the same	
7.	Others - Interest received Bank on amount deposited	20,678
Total (A+B)		34,107,346

Distribution:

(c) The amounts distributed to stakeholders as per section 52/53 of Code are as under: Rs.
3,41,07,288 /-

Sl. No.	Stakeholders* under section 53 (1)	Amount Claimed	Amount Admitted	Amount Distributed	Amount Distributed to the Amount Admitted (%)	Remarks
-1	-2	-3	-4	-5	-6	-7
1	(a) CIRP Costs	NA	NA	129,124		
2	(a) Liquidation Costs	NA	NA	7,637,205		
3	(b)(i) Workmen Dues					
4	(b)(ii) Secured Creditors	7,754,130	7,754,130	7,754,130	100%	
5	(c) Wages and un paid Dues					
6	(d) Unsecured Creditors					
	SR Marine and Offshore Engineering Pvt Ltd	4,784,271.00	4,784,271	4,784,271	100%	
	Manish G Gandhi	12,642,398	7,196,095	7,196,095	100%	



	Mrutulla G Gandhi	1,716,267	1,097,000	1,097,000	100%	
	Nikesh M Gandhi	2,606,984	1,655,000	1,655,000	100%	
	Niketa M Gandhi	3,591,348	2,280,179	2,280,179	100%	
7	(c)(i) Statutory Dues			1,574,283		
8	(c) (ii) Secured Creditors upon enforcement of Security Interest					
9	(f) Other Debts					
10	(g) Preference Shareholders					
11	(h) Equity Shareholders					
	Total	33,095,398	24,766,675	3,41,07,288		

19. From the averments made in the Application along with the perusal of the final report and the Compliance Certificate filed in Form-H by the Applicant, it is seen that the Corporate Debtor has been completely liquidated. In the circumstances as averred and as prayed for by the Applicant, an order for dissolution is required to be passed by this Tribunal under Section 54 of the IBC, 2016. Accordingly, **we order for the dissolution of the Corporate Debtor viz., M.N.Horological Industries Private Limited.**

20. The Liquidator is directed to forward the copy of this Order to the RoC concerned and also to the IBBI for its records within a period of 7 days from the date of this Order.

21. In terms of the above, this **IA(IBC)(Dis.)/37/CHE/2024** stands **allowed** and **CP/1441/IB/2018** also stands **disposed of**. File consigned to records.

-Sd-

VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)

-Sd-

SANJIV JAIN
MEMBER (JUDICIAL)

Kishore P