

(2019) 10 NCLT CK 0004

In the National Company Law Tribunal

Case No : Miscellaneous Application No. 1011 Of 2019, Company Petition No. 1177 IB Of 2018

Gandhi Automations Pvt. Ltd.

APPELLANT

Vs

K. Karthekeyan (Kpk Engineering Company Pvt. Ltd.)

RESPONDENT

Date of Decision : 14-10-2019

Acts Referred:

Citation : (2019) 10 NCLT CK 0004

Hon'ble Judges : B.S.V. Prakash Kumar, J;Anil Kumar J;Member (Technical)

Bench : Division Bench

Advocate : R. Bala Chander, M. Manikandan Counsel

Final Decision : Disposed Of

Judgement

1. It is an MA filed by the Resolution Professional seeking co-operation of the suspended directors (1st Respondent) for supply of documents of the Corporate Debtor as given below:

S. No.

Description of Documents

1.

Memorandum of Association (certified and updated)

2.

Articles of Association (certified and updated)

3.

Cash Book

4.

Statement of all Bank Accounts for the last 2 years upto 04.03.2019

5.

Tally for the last 2 years in soft copy and hard copy print out

6.

Detailed list of Fixed assets, Assets and Liabilities, Plant & Machinery as required for Information Memorandum

7.

Detail list of Creditors/Debtors with values

8.

Register of Contracts etc. Indicating the related parties

9.

Register of employees & workers with salary of each for the last 2 years

10.

Provisional Balance sheet and statement of Profit & Loss together with Directors Report for the last 2 years.

11.

Provisional Balance sheet and statement of Profit & Loss drawn upto 14 days prior to the commencement of CIRP viz. 04.03.2019.

12.

Register of Directors and Members

13.

List of Shareholders with holdings & percentage to total

14.

Book of minutes of AGM meetings

15.

Book of minutes of meetings of Board of Directors

16.

Latest e-filing AOC-4, MGT-9 & MGT-7 on MCA Portal for 2 previous years

17.

Latest Income Tax/Commercial Taxes/GST Returns & Assessment Orders

18.

List of Registrations with Regulators applicable to your industry/business

19.

Detailed list of litigation by or against the company with amounts involved, Forum, Next date of hearing, current status

20.

Statement of transaction between the company and related parties for the last 2 years.

21.

Any other document/record that may be called for from time to time during the CIRP process

2. On the relief sought by the RP, Mr. Manikandan, the counsel appearing on behalf of the Respondents having given an undertaking to provide all the documents of the Corporate Debtor to the RP, this Bench hereby directs R1 to provide all the documents aforementioned on or before 18.10.2019.

3. Accordingly, this MA/1011/2019 is hereby disposed of.