



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

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **18.10.2024** THROUGH VIDEO CONFERENCING

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

IN THE MATTER OF : Fashion Equations Pvt. Ltd.

MAIN PETITION NUMBER :CP(IB)/323(CHE)2021
(IA/MA) APPLICATION NUMBERS

IA(DIS)/16(CHE)/2024

ORDER

Present: Shri. Bhagavath Krishnan, Ld. Counsel for the Petitioner.

Vide separate order pronounced in the Open Court, petition is **allowed**. The
Company M/s. Fashion Equations 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 (Dis.)/16 (CHE)/2024 in CP/323/CHE/2021

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

In the matter of M/s. Fashion Equation Pvt. Ltd.,

MS. SATYADEVI ALAMURI

Liquidator of Fashion Equation Pvt. Ltd.,
223, Lake Area, 3rd Cross Street,
Nungambakkam,
Chennai - 600 034.

... Applicant

Order Pronounced on 18th October 2024

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**SANJIV JAIN, MEMBER (JUDICIAL)
VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)**

For Applicant: Bhagvath Krishnan, Advocate

ORDER

(Heard through –VC–)

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.,
Fashion Equation Pvt. Ltd.



2. It is stated that CIRP of the Corporate Debtor was initiated by this Tribunal vide order dated 28.04.2022 and the Applicant herein was appointed as Interim Resolution Professional (IRP) and thereafter as Resolution Professional (RP).

3. It is stated that the Liquidation of the Corporate Debtor was ordered by this Tribunal on 08.02.2019 in IA/1377/2023 in CP/323/IB/2018 and the Applicant herein was appointed as the Liquidator.

4. It is stated that the Applicant constituted the Stakeholders Consultation Committee on 21.09.2023. The list of stakeholders as averred in the Application is extracted hereunder:-



Sl. No.	Category of Stakeholders	Name of the Stakeholder	Amount admitted in Rs./Voting share	Remarks
1	Secured Financial Creditor	Canara Bank	5,70,01,781.69 (74.77%)	Claim received on 29.08.23 and final rectified claim received on 12.09.2023 Admitted u/s.53(1)(b)(ii) of IBC, 2016.
2	Unsecured Financial Creditors	a) Bajaj Finance Limited b) Aditya Birla Capital Limited	a)10,77,701.00 (1.41%) b)10,70,250.00 (1.40%)	a)Claim reced during CIRP considered admitted u/s.53(1)(d) of IBC, 2-016 b)Claim recd on 04.09.23 u/s.53(1)(d) of IBC, 2016
3	Workmen and employees	NIL		
4	Government	a) ESI b) Income tax c)PF	a)15,398.00 (0.020%) b)4,25,360.00 (0.56%) c)3,96,903.00 (0.52%)	All the following 3 claims admitted u/s.53(1)(f) of IBC,2016 a) Claim received on 23.08.2023 b) Claim received during CIRP considered c)Claim received during CIRP considered
5	Operational Creditors for provision of goods	a) South India Handloom b) Jain Impex c)Vijay Exports	a)51,69,179.00 (6.78%) b)50,82,121.00 (6.67%) c)59,93,900.00 (7.87%)	All the following 3 claims admitted u/s.53(1)(f) of IBC,2016 a) Claim received during CIRP considered b) Claim received on c)Claim received during CIRP considered
6	Shareholders	NIL		Not filed any claim and hence not applicable

5. It is stated that, the Corporate Debtor had no assets and that the Corporate Debtor has not been doing any business since COVID. The Corporate Debtor is not an on-going business entity.



6. It is stated that, this Tribunal allowed IA No. 1377 of 2023 on 24.07.2023 and ordered liquidation of the Corporate Debtor.

7. It is stated that, in the 3rd SCC Meeting on 14.3.2024, since there were no assets in the Corporate Debtor, the SCC with 76.2% voting, resolved to file the application before this Tribunal to dissolve the CD.

8. 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	Page 85- Final Report Clause 2
2	Regulation 35(2)	Appointment of Registered Valuers where no valuation conducted during CIRP	Valuers appointed during CIRP only- Clause 12 of Final Report
3	Regulation 31(2)	List of Stakeholders within 45 days of the Liquidation Commencement Date	Page 85 Clause 6 of Final Report
4	Regulation 31A	Constitution of Stakeholders Consultation Committee (SCC)	Page 85- Clause 8 of Final Report
5	Regulation 13	Preliminary Report	Page 85- Clause 6 of Final Report.
6	Regulation 34	Preparation of Asset Memorandum within Seventy-Five days from LCD	Page 85- Clause 8 of Final Report
7	Regulation 41	Opening of Bank Account in the name of the company in Liquidation in "Canara Bank"	CIRP ACCOUNT Opened on 5.9.2022 changed to Liquidation account 1.9.2023
8		Proof of Closure of the above Bank Account and other account in the name of the Company	Memo dated 25.09.2024



9	Regulation 15	Quarterly Progress Reports and proof of filing the same before this Tribunal	a)1st Qtr filed IA/1959(CHE)/2023 dated 30.10.2023 b)2nd Qtr ended 31.12.2024 taken on record vide IA No.191(CHE)/2023 dt, 29.1.2024. c)3rd Quarter ended 31.3.2024 taken record vide on IA (IBC)/1034(CHE)/2024 dated 2.5.2024
10	Regulation 36	Asset Sale Reports after sale of Reports	N/A
11	Regulation 42(2)	Proof of Distribution within Ninety days from the receipt of realization	N/A
12	Regulation 45 (3)	Final report	Final Report Page 85 - 86
13	Regulation 5 (1) (e)	Compilation of Minutes of SCC	Page 77-84
14	Regulation 15	Audited Accounts of receipts and Payments	Attached with IA (IBC)/1034(CHE)/2024 dated 2.5.2024
15	Regulation 37	Completion of Liquidation Process within one year from Liquidation Commencement Date or extension if any, date of the order & period	N/A
16		Form-H –Compliance Certificate	Page 87-92

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

11. It is stated in Form H that no applications are pending before this Tribunal in respect of avoidance, Preferential, Undervalued or Fraudulent Transactions.

12. The liquidator has filed the synopsis showing the realization and the distribution which are reproduced as under:

**18. REALISATION:**

SL..N O	ASSETS	MODE OF SALE	ESTIMATED LIQUIDATION VALUE	REALISATION AMOUNT	DATE OF TRASNFER INTO LIQUIDATION ACCOUNT
	NIL				

19. DISTRIBUTION:

SL. NO	STAKEHOLDERS UNDER SECTION 52 AND 53(1)	AMOUNT CLAIMED	AMOUN T ADMITT ED	AMOUNT DISTRIBU TED	AMOUNT DISTRIBU TED TO THE AMOUNT CLAIMED(%)	REMARKS
1	REALIZATION OF SECURITY INTEREST	NIL				NIL
2	LIQUIDATION COST [SEC 53(1)(A)]		100000	47071 plus Rs.929 is bank charges	47%	Rs.929/- is bank charges
3	WORKMENS DUES(SEC 1)(b)(iO	0	0	0	0	No workers
4	DEBTS OF SECURED CREDITORS(SEC 53(1)(b)(ii)	5,70,01,781.69	5,70,01, 781.69	0	0	
5	WAGES AND UNPAID DUES TO EMPLOYEES (SEC 53(1)(d)	0	0	0	0	
6	DEBTS OF UNSECUED FINANCIAL CREDITORS(SEC 53(1)9e)	36,63,722.26	2147951 .00			Shown in applicatio n as Rs.46,63, 722.26 which is typoerror and the total is given correctly considerin g Rs.36,63, 722.26.- Request for condonati on.

[Signature]
INSOLVENT
1881/194
23 Lake rd
Rear Entrance, Opp. ...
Nungambakkam, Chennai - 600 036



7	GOVERNMENT DUES +AMOUNT UNPAID FOLLOWING ENFORCEMENT OF SECURITY INTREST (SEC 53(1)c	3957825.00	837661.00			
8	ANY REMAINING DEBTS AND DUES(SEC53 (1)(f)	22684740.00	16245200.00			
9	PREFERENCE SHAREHOLDERS (SEC 53(1)(g)		0			
10	EQUITY SHAREHOLDERS (SEC 53(1)(h)		0			
	TOTAL	87308068.95	76332593.69			
11	Liq Cost	100000.00				
12	CIRP COST	355512.00	225808.00			IRP expenses Rs.129704/- met by applicant and not ratified by CoC
	TOTAL	8,77,63,580.95	76558401.69			

PLACE:CHENNAI
DATE: 06.07.2024

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13. 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., *Fashion Equation Private Limited*. 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.

14. In terms of the above, this IA (Dis)16/CHE/2024 stands **allowed** and CP/323/IB/2018 also stands **disposed of**.

-Sd-

VENKATARAMAN SUBRAMANIAM
MEMBER (TECHNICAL)

-Sd-

SANJIV JAIN
MEMBER (JUDICIAL)