

Kamalesh Kumar Singhania

AV Insolvency Professionals Pvt Ltd
Bajarang Kunj, 4th Floor
Room No 412 & 413
2B Grant Lane, Kolkata - 700 012

13.12.2018

To,
National Stock Exchange of India Ltd.,
Exchange Plaza, C-1, Block G,
Bandra Kurla Complex,
Bandra (E)
Mumbai - 400 051

Dear sir, **Re: Khaitan Electricals Ltd.**

Sub: Intimation of initiation of Corporate Insolvency Resolution Process (CIRP) against Khaitan Electricals Ltd. and appointment of Interim Resolution Professional (IRP)

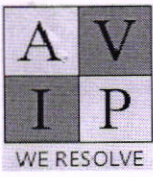
I hereby intimate your good offices that CIRP has been initiated in respect of **Khaitan Electricals Ltd.** the company, under the provisions of the Insolvency and Bankruptcy Code, 2016 (Code) by an order of National Company Law Tribunal (NCLT), Hyderabad Bench with effect from 28.11.2018.

As per section 17 of the Code, the powers of the Board of Directors of **Khaitan Electricals Ltd.** stands suspended and such powers shall be vested with me, **Kamalesh Kumar Singhania** having IP Registration No. **IBBI/IPA-002/IP-N00023/2016-2017/10050**, appointed as the Interim Resolution Professional.

It may further be noted that in consonance with the stipulations contained in section 14 of the Code, a moratorium has been declared vide the aforesaid order passed by NCLT, whereby, inter alia, the following shall be prohibited:

- (a) the institution of suits or continuation of pending suits or proceedings against the corporate debtor including execution of any judgment, decree or order in any court of law, tribunal, arbitration panel or other authority;
- (b) transferring, encumbering, alienating or disposing of by the corporate debtor any of its assets or any legal right or beneficial interest therein;
- (c) any action to foreclose, recover or enforce any security interest created by the corporate debtor in respect of its property including any action under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002;

+91 98301 19363 / 70039 77836 / +91 33 22881100
Email - goenka.pradeep@gmail.com / info@avipgroup.co.in



Kamalesh Kumar Singhania

AV Insolvency Professionals Pvt Ltd
Bajarang Kunj, 4th Floor
Room No 412 & 413
2B Grant Lane, Kolkata - 700 012

(d) the recovery of any property by an owner or lessor where such property is occupied by or in the possession of the corporate debtor.

The instant intimation w.r.t. initiation of CIRP and appointment of Interim Resolution Professional is for your information and record. I shall keep the statutory authorities posted on further developments in this regard.

Kindly acknowledge the receipt of this document.

Thanking you

Yours faithfully

Kamalesh Kumar Singhania

Interim Resolution Professional

Registration Number : IBBI/IPA-002/IP-N00023/2016-2017/10050

Enclosed:

- a) A copy of the NCLT order referred above.
- b) A copy of the Public Announcement made under Regulation 6 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.

electronic means only. All other creditors may submit the proof of claims in person, by post or by electronic means. Claimants may download the relevant forms from the website of IBI www.ibbi.gov.in/downloadform.html.

Sd/-
Ashish Singh
Insolvency Professional
N00416/2017-18/11230

Session Notice

(Immovable Property)

of Financial Assets and
read with Rule 9 of the
the amount mentioned

particular and the public
conferred on him under
growers/ guarantor(s)
and any dealings with the
costs & charges etc.

of Demand Notice
of Possession Notice
ince amount as per
and notice.

8.2018
1.2018
7,62,174.14 as on
2014 (plus unapplied
st, cost and further
st).

8.2018
1.2018
11,30,340.84 as on
2012 (plus unapplied
st, cost and further
st).

8.2018
1.2018
6,72,199.78 as on
2012 (plus unapplied
st, cost and further
st).

8.2018
1.2018
7,18,976.80 as on
2008 (plus unapplied
st, cost and further
st).

Sd/-
Ashish Singh
Insolvency Professional
N00416/2017-18/11230

Sd/- Chairman, Purulia Municipality

Schedule Form A

PUBLIC ANNOUNCEMENT

[Under Regulation 6 of the Insolvency and Bankruptcy Board of India
(Insolvency Resolution Process for Corporate Persons) Regulations, 2016
FOR THE ATTENTION OF THE CREDITORS OF: KHAITAN ELECTRICALS LIMITED

Sl. No.	Relevant Particulars
1.	Name of Corporate Debtor Khaitan Electricals Limited
2.	Date of incorporation of corporate debtor 27th October 1975
3.	Authority under which corporate debtor is incorporated / registered Registrar of Companies, Hyderabad
4.	Corporate identity number of corporate debtor L31909AP1975PLC001949
5.	Address of the registered office and principal office (if any) of corporate debtor Registered office: A-13, Co-operative Industrial Estate Balanagar, Hyderabad - 500 037 Corporate Office: 46C, J.L. Nehru Road, Kolkata - 700 071
6.	Insolvency commencement date in respect of Corporate debtor 28th November 2018
7.	Estimated date of closure of insolvency resolution Process 27th May 2019
8.	Name and registration number of the Insolvency Professional acting as Interim Resolution Professional Kamalesh Kumar Singhania IBBI/PA-002/IPN00023/2016-17/10050
9.	Address and E-mail of the Interim Resolution Professional, as registered with the Board AV Insolvency Professionals Pvt. Ltd. Bejarang Kunj, Room No 412 & 413, 2B, Grant Lane, 4th Floor, Kolkata - 700 012 Email : info@avipgroup.co.in
10.	Address and e-mail to be used for correspondence with the interim resolution professional, if different from those given at sl. No. 9. cirp.kel@gmail.com
11.	Last date for submission of claims 12th December 2018
12.	Classes of creditors, if any, under clause (b) of sub-section (6A) of section 21, ascertained by the interim resolution professional N.A
13.	Names of Insolvency Professionals identified to act as Authorised Representative of creditors in a class (Three names for each class) N.A
14.	(a) Relevant Forms and (b) Details of authorized representatives are available at: Web link: https://ibbi.gov.in/downloadform.html Physical Address: N.A

Notice is hereby given that the National Company Law Tribunal has ordered the commencement of a corporate insolvency resolution process against the Khaitan Electricals Limited on 28.11.2018. The creditors of Khaitan Electricals Limited are hereby called upon to submit a proof of their claims on or before 12.12.2018 to the Interim Resolution Professional at the address mentioned against item 10.

The financial creditors shall submit their proof of claims by electronic means only. All other creditors may submit the proof of claims in person, by post or by electronic means. Claimants may download the relevant forms from the website of IBI www.ibbi.gov.in/downloadform.html.

A financial creditor belonging to a class, as listed against the entry No. 12, shall indicate its choice of authorized representative from among the three insolvency professionals listed against entry No. 13 to act as authorized representative of the class (specify class) in Form CA.

Submission of false or misleading proofs of claim shall attract penalties.

Date : 29.11.2018
Place : Kolkata

Sd/-
Kamalesh Kumar Singhania
Interim Resolution Professional

Financial Express
01/12/2018

**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH**

PRESENT: HON'BLE SHRI K. ANANTHA PADMANABHA SWAMY – MEMBER JUDICIAL

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 28.11.2018 AT 10.30 AM

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	CP(IB) NO. 326/7/HDB/2018
NAME OF THE COMPANY	Khaitan Electricals Ltd
NAME OF THE PETITIONER(S)	Bank Of India
NAME OF THE RESPONDENT(S)	Khaitan Electricals Ltd
UNDER SECTION	7 OF IBC

Counsel for Petitioner(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
Salvaji Rajashanker P.N. Reddy Rao.	Adv.	8187873158	P.N. Reddy
Ramesh Chandra Puri	Adv.		J

Counsel for Respondent(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

ORDER

Order pronounced in open court. Petition is admitted & IRP appointed
vide separate order.


MEMBER JUDICIAL

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

CP (IB) No.326/07/HDB/2018

U/s 7 of the IBC, 2016 and Rule 4 of I&B
(Application to Adjudicating Authority) Rules, 2016

In the Matter of Khaitan Electricals Limited

M/s Bank of India

Having its Head Office at 'Star House', C-5, Block-'G',
Bandra Kurla Complex, Bandra (East), Mumbai – 400 051
Branch Office at Kolkatta Mid Corporate Branch at 5,
B.T.M Sarani, P.S. - Hare Street,
Kolkata – 700 001.

...Petitioner/Financial Creditor

Versus

M/s. Khaitan Electricals Limited,
Having its Regd. Office at A-13,
Co-Operative Industrial Estate, Balanagar,
Hyderabad – 500 037,
Telangana.

...Respondent/Corporate Debtor

Order Delivered on: .11.2018

Parties/Counsel present:-

For the Petitioner/Financial Creditor:

Shri. Ramesh Chandra Prushti, Shri. Sai Rama Murthy and Shri.
Raja Shekar Rao Salavaji, Advocates.

For the Respondent/Corporate Debtor:

Shri. K. Vijay Kumar, AGM Finance, (Party in Person).

✓

PER: K. ANANTHA PADMANABHA SWAMY, MEMBER JUDICIAL

ORDER

1. Under Consideration is an Application filed by Bank of India (hereinafter referred to as '**Financial Creditor**') against M/s. Khaitan Electricals Limited (hereinafter referred to as '**Corporate Debtor**') under section 7 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as **I B Code, 2016**) read with Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.
2. Before proceeding with this matter, it would be appropriate to make a note of background facts for the purpose of determination of this petition.
3. The Learned Counsel for the Petitioner submitted that the Corporate Debtor had initially granted credit facility to the Respondent on 23.03.2010 and later extended it from time to time. The amount of debt granted by the Petitioner was Rs. 20,00,00,000/- (Rupees Twenty Crores Only) and the amount in default is Rs.15,48,41,056/- (Rupees Fifteen Crores Forty Eight Lakhs Forty One Thousand and Fifty Six Only). The account was classified as Non-Performing Asset on 31.12.2016 and is still continuing as an NPA account.
4. Petitioner has placed on record various documents in support of its claim such as:
 - a. Copy of Ledger Account of the Corporate Debtor.
 - b. Copy of CIBIL Report of the Corporate Debtor.

- c. Copy of Sanction Letters dated 23.03.2010 along with letters of acceptance by the Corporate Debtor & Modification of sanction terms dated 29.03.2010 duly accepted by the Corporate Debtor.
- d. Copy of Demand Promissory Note dated 29.03.2010.
- e. Copy of Loan Bearer Letter dated 29.03.2010.
- f. Copy of Declaration cum Undertaking dated 29.03.2010.
- g. Copy of Non-Receipt of commission by Guarantor of the Corporate Debtor 29.03.2010.
- h. Copy of Continuing Security Letter dated 29.03.2010.
- i. Copy of Declaration dated 29.03.2010.
- j. Copy of Deed of Guarantee dated 29.03.2010 executed by Corporate Debtor.
- k. Copy of Sanction letter dated 13.11.2010 duly accepted by the Corporate Debtor.
- l. Copy of Demand Promissory Note dated 04.12.2010 executed by the Corporate Debtor.
- m. Copy of Loan Bearer Letter dated 04.12.2010.
- n. Copy of Declaration cum Undertaking dated 04.12.2010.
- o. Copy of Continuing Security Letter dated 04.12.2010.
- p. Copy of Acknowledgment of Debts/Liabilities dated 04.12.2010 executed by Corporate Debtor.
- q. Copy of No objection Letter dated 09.12.2010.
- r. Copy of Sanction of Credit Facilities dated 30.04.2012.

- s. Copy of Letter of Acknowledgment of Debts/Liabilities dated 25.02.2015.
- t. Copy of Annual Review of credit facility dated 07.04.2016.
- u. Copy of Letter dated 14.09.2017 by the Financial Creditor.
- v. Copy of Acknowledgment and confirmation Letter dated 21.09.2017 by the Corporate Debtor.
- w. Copy of Demand Notice dated 16.02.2018 issued by the Financial Creditor to the Corporate Debtor.

And placed many other Documents in support of its claim against the amount defaulted by the Corporate Debtor as evidence on record.

- 5. Respondent in its reply stated that Corporate Debtor do admit that the current financial position is very much tight and has deteriorated continuously over past 3 years.
- 6. The facility provided by the Applicant/Financial Creditor is towards Vendor Bill Discounting. Respondent/Corporate Debtor is in the final stage of negotiation with some potential buyer and has also proposed OTS (One Time Settlement) to Secured Lenders and seeks time of Four to Six weeks for settlement.
- 7. Petitioner/Financial Creditor in its written submission stated that Respondent/Corporate Debtor had admitted its Liability by way of acknowledgement dated 14.09.2017, and that the Respondent/Corporate Debtor had not disputed the debt due to the Petitioner/Financial Creditor but simply sought time for settlement. Petitioner/ Financial Creditor prayed to allow the Present Petition.

8. Heard both the sides and perused the record.
9. After hearing submissions of the Counsel for the Petitioner/FC and Counsel for Respondent/CD and having perused the record, this Adjudicating Authority is satisfied that the Petitioner has clearly made out a case by establishing that the Corporate Debtor has defaulted on payment dues on various occasions to the Petitioner which the Corporate Debtor was responsible to pay. The Corporate Debtor neither disputed nor denied the default Debt but only expressed its inability to pay. Therefore, I am of the opinion that the amount in default committed by the Corporate Debtor is genuine and is supported by the documentary evidence placed before this Adjudicating Authority. In the Circumstances, having satisfied with the submission put forth by the learned counsel for the Petitioner, I am hereby inclined to admit the Instant Petition.
10. Accordingly, the Instant Petition is admitted and this Tribunal Order the Commencement of the Corporate Insolvency Resolution Process which shall ordinarily get completed within 180 days, reckoning from the day of this order is passed.
11. This Adjudicating Authority hereby Appoint Mr. Kamallesh Kumar Singhania, as IRP as proposed by the Financial Creditor. There is no disciplinary proceedings pending against the IRP as evidenced from Form-2 and his name is reflected in IBBI website. The IRP is directed to take charge of the Respondent Corporate Debtor's management immediately. He is also directed to cause public announcement as prescribed under Section 15 of the Insolvency and Bankruptcy Code, 2016 within three days from the

date the copy of this order is received, and call for submissions of claim in the manner as prescribed.

12. I declare the moratorium which shall have effect from the date of this Order till the completion of corporate insolvency resolution process for the purposes referred to in Section 14 of the I&B Code, 2016. I order to prohibit all of the following, namely:

- a) The institution of suits or continuation of pending suits or proceedings against the corporate debtor including execution of any judgment, decree or order in any court of law, tribunal, arbitration panel or other authority;*
- b) Transferring, encumbering, alienating or disposing of by the corporate debtor any of its assets or any legal right or beneficial interest therein;*
- c) Any action to foreclose, recover or enforce any security interest created by the corporate debtor in respect of its property including any action under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (54 of 2002);*
- d) The recovery of any property by an owner or lessor where such property is occupied by or in the possession of the corporate debtor.*

13. The supply of essential goods or services of the Corporate Debtor shall not be terminated or suspended or interrupted during moratorium period. The provisions of Sub-section (1) of Section 14 shall not apply to such transactions, as notified by the Central Government.

14. The IRP shall comply with the provisions of Sections 13(2), 15, 17 & 18 of the Code. The directors, Promoters or any other person associated with the management of Corporate Debtor are directed to extend all assistance and cooperation to the IRP as stipulated under Section 19 and for discharging his functions under Section 20 of the I&B Code, 2016. Accordingly, the application is admitted.
15. The Petitioner/FC as well as the Registry is directed to send the copy of this Order to IRP so that he could take charge of the Corporate Debtor's assets etc. and make compliance with this Order as per the provisions of I&B Code, 2016.
16. The Registry is also directed to communicate this Order to the Financial Creditor and the Corporate Debtor.
17. The details of the IRP are as follows:-

Mr.Kamlesh Kumar Singhania
Insolvency Resolution Professional,
IP Registration No. IBBI/IPA-002/IP-N00023/2016-17/10050,
AV Insolvency Professional Pvt Ltd.,
Bajarang Kunj, Room No.412 & 413,
2B, Grant Lane, 4th Floor,
Kolkata - 700 012.
West Bengal.


K.ANANTHA PADMANABHA SWAMY
MEMBER JUDICIAL