

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

**Contempt Case (AT) No. 13 of 2018 in
Company Appeal (AT) (Insolvency) No. 47 of 2018**

IN THE MATTER OF:

**CA. G. V. Ravikumar, Liquidator of
Suriya Textiles Pvt. Ltd**

...Applicant

Vs

**K. Kuppusamy, Ex. Director of
Suriya Textiles Pvt. Ltd.**

**....Contemnor/
Respondent**

Present:

**For Applicant: Mr. D. Sreenivasan and Mr. G. Anandaselvam,
Advocates. Shri G. V. Ravikumar, Liquidator in
person.**

**For Respondents: Mr. S. Santanam Swaminathan and Ms. Nishtha
Khurana, Advocates.**

With

Company Appeal (AT) (Insolvency) No. 47 of 2018

IN THE MATTER OF:

K. Kuppuswamy

...Appellant

Vs

State Bank of India & Ors.

....Respondents

Present:

**For Appellant: Mr. S. Santanam Swaminathan and Ms. Nishtha
Khurana, Advocates.**

**For Respondents: Mr. E. Om Prakash, Senior Advocate with Ms.
Madhusmita Bora, Advocate for SBI.**

**Mr. D. Sreenivasan and Mr. G. Anandaselvam,
Advocates.**

Shri G. V. Ravikumar, Liquidator in person.

With

Company Appeal (AT) (Insolvency) No. 48 of 2018

IN THE MATTER OF:

K. Kuppuswamy

...Appellant

Vs

State Bank of India & Anr.

....Respondents

Present:

For Appellant: Mr. S. Santanam Swaminathan and Ms. Nishtha Khurana, Advocates.

For Respondents: Mr. E. Om Prakash, Senior Advocate with Ms. Madhusmita Bora, Advocate for SBI.

Mr. D. Sreenivasan and Mr. G. Anandaselvam, Advocates.

Shri G. V. Ravikumar, Liquidator in person.

ORDER

30.04.2019: Learned counsel for 'Mr. G. V. Ravikumar', Resolution Professional now Liquidator submits that inspite of order passed on 2nd January, 2019 in Company Appeal (AT) No. 47 of 2018, the suspended Board of Directors including Mr. K. Kuppuswamy has not handed over the possession of the Company (Corporate Debtor) including all the documents to the Liquidator.

Learned counsel appearing on behalf of Mr. K. Kuppuswamy and Contemnor in the Contempt Case submits that they have handed over the possession of the Company and filed affidavit. It is submitted that the senior counsel for Mr. K. Kuppuswamy will appear and address on the matter.

In the circumstances, while we are allowing the Appellant 'Mr. G. V.

Contempt Case (AT) No. 13 of 2018 in Company Appeal (AT) (Insolvency) No. 47 of 2018 with Company Appeal (AT) (Insolvency) No. 47 of 2018 and 48 of 2018

Ravikumar', Liquidator to approach the SP of Police, Tirupur and Coimbatore to report and complain about non-handing over of the Company and documents. The SP of Police, Tirupur and Coimbatore will cooperate with the Mr. G. V. Ravikumar, Liquidator and ensure that possession of all assets and documents of the Corporate Debtor is handed over to the Appellant, if not yet handed over. The Liquidator will submit the report by the next date.

Post these appeals 'for orders' on **31st May, 2019 at 2:00 PM.**

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/gc