Admission of CIRP Applications on the basis of Form D (Record of Default) issued by NeSL- Information Utility

NCLT, Chandigarh Bench, in the CIRP Application filed by Punjab & Sind Bank under Section 7 of IBC, 2016 (CP(IB) No. 320/Chd/Pb/2024) has admitted the application for initiation of Corporate Insolvency Resolution Process against the Corporate Debtor M/s Kay Bee Cotgin Pvt.Ltd vide order dated 10.03.2026.

In the above-mentioned Order, the Hon'ble members of NCLT have placed reliance on the contents of the Records of Default issued by NeSL-IU in determining **debt & default,** for admitting the application filed under Section 7 of IBC, 2016, read with Rule 4 of the Insolvency & Bankruptcy (Application to Adjudicating Authority) Rules, 2016, for initiating CIRP.

The relevant extracts of the Orders of NCLT are as under:

Page 5 - Para 2(ix):
"The Financial Creditor has also placed on record the authenticated record of default issued by the Information Utility, NeSL, dated 15.10.2024 (authenticated on 16.07.2024......"

Page 7 - Para 9:
"The Applicant–Financial Creditor has placed reliance upon the following documents in support of the present petition:

Copy of Bank Account statement along with Banker books Certificate	*30.09.2024*
Copy of NeSL	*15.10.2024*

……."

Page 8 - Para 10:
"From the documents placed on record, including the sanction letters…, the record of default issued by the Information Utility (NeSL), and the SARFAESI demand notices, it stands established that a financial debt was disbursed by the Petitioner to the Corporate Debtor. The Corporate Debtor committed default, and the account was classified as NPA on 27.01.2022. The amount claimed is above the threshold prescribed under the Code; the application is complete in terms of Section 7(2) of the Code read with Rule 4 of the Rules. "

Page 8- Para 11(i):
"Accordingly, we admit this Application and Order as under:

(i) The Corporate Debtor Kay Bee Cotgin Pvt. Ltd. is admitted in the Corporate Insolvency Resolution Process under Section 7 of the Insolvency and Bankruptcy Code, 2016."