

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

NCLT, Division Bench-I, Chennai, in the CIRP Application filed by M/s SVL Ltd under Section 7 of IBC, 2016 (CP(IB)/94(CHE)/2025) has admitted the application for initiation of Corporate Insolvency Resolution Process against the Corporate Debtor M/s Abhiyantha Project Engineering Private Limited, vide order dated 23.03.2026.

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 9 - Para 18:

" It is observed that petitioner provided necessary documentary evidences to prove disbursement of financial debt and default including Record of Default issued by NeSL."

Page 17 - Para 21:

*"This Tribunal considered legal framework under Section 7 of the IBC, which requires establishment of a financial debt and a default by the Corporate Debtor. Hon'ble Supreme Court in **Innovative Industries Limited Vs. ICICI Bank and Anr.** clarified that Adjudicating Authority must ascertain the existence of a debt that is due and a default that has occurred. The view taken in the case of Innovative Industries has been followed by Hon'ble Supreme Court in the case of **ES Krishnamurthy & Ors. Vs. M/s Bharath Hi Tech Builders Pvt. Ltd.** In view of the law laid down by the Hon'ble Supreme Court in **Innovative Industries (Supra)** and followed in subsequent judgments, once the existence of financial debt and occurrence of default are established, the Adjudicating Authority is required to admit the application."*

Page 19 - Para 25:

*" In view of the aforesaid findings, the Petition bearing C.P.(IB) No.94/CHE/2025 filed under Section 7 of the Code by the Petitioner , for initiating CIRP in respect of **Abhiyantha Project Engineering Private Limited** , the Corporate Debtor is admitted."*