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

NCLT, Amaravathi Bench, in the CIRP Application filed by M/s Kotak Mahindra Bank Ltd under Section 7 of IBC, 2016 CP (IB)/8/7/AMR/2026, has admitted the application for initiation of Corporate Insolvency Resolution against the Corporate Debtor M/s Sri Lakshmi Narasimha Spinning Mills (India) Pvt. Ltd., vide Order dated 08.06.2026.

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:

Para 13
"Whether there is a financial debt and default in repayment thereof, when it became due and payable, which meets the minimum threshold limit of Rs. One crore as required under Section 4 of the IBC?"
(i) As per Part-IV of Form 1, the amount claimed to be default is Rs.4,93,68,870.64/- and the Financial Creditor, as evidence of default of the financial debt, has enclosed the following documents:
Copy of NeSL Report
(ii) The Financial Creditor at Page Nos.129-141 of the Petition has enclosed the RoD issued by NeSL in respect of Account No.7346616551, wherein the status of Authentication of Default in Form-D is shown as "Authenticated" and the Date of default is 31.05.2024, the relevant extract of the Form-D is reproduced below.
(iii) As per the above RoD, the default amount as on the date of default i.e., 31.05.2024 is shown as Rs.4,10,21,788/-."

Para 19:
"..Accordingly, CP (IB)/8/7/AMR/2026 stands admitted.."