



FACOR STEELS LIMITED

20.08.2018

Bombay Stock Exchange Limited,
Phiroze Jeejeebhoy Towers,
Dalal Street
Mumbai – 400 001

Dear Sir/Madam,

**Sub: Intimation of Initiation of Commencement of Liquidation Process
and appointment of Sunil Gajanan Nanal as Liquidator in the matter of
Facor Steels Limited**

Ref: Facor Steels Limited - ISIN - INE829G01011

This is to inform you that Hon'ble National Company Law Tribunal, Mumbai Bench has ordered the commencement of Liquidation of Facor Steels Limited, Nagpur by its order MA-631/2017 & MA-574/2018 in CP No. 18/I&BP/NCLT/MAH/2017 dated 26.06.2018 effective from 4th July 2018 (The date of receipt of the NCLT order) and appointed the undersigned as Liquidator to carry forward the Liquidation Process.

A public announcement in terms of Regulation 12 of the Insolvency and Bankruptcy (Liquidation Process) Regulation, 2016 was published on 6th July 2018.

You are requested to a note of this intimation and acknowledge receipt.

Thanking you,

Yours Faithfully,
For **Facor Steels Limited,**

(Sunil Gajanan Nanal)

Liquidator

Regn No. - IBBI/IPA-002/IP-N00194/2017-18/10560 dated 11.07.2017

Enclosed:

1. Copy of NCLT order MA-631/2017 & MA-574/2018 in CP No. 18/I&BP/NCLT/MAH/2017 dated 26.06.2018
2. Copy of Public Announcement made under Regulation 12 of the Insolvency and Bankruptcy (Liquidation Process) Regulation, 2016.

Regd.office & Works : 46 (A&B), Hingna M.I.D.C. Industrial Estate, Nagpur 440 028, INDIA

Tel. - +91-7104-235709, FAX - +91-7104-235709, Email : info@facorsteel.com, website –

www.facorsteel.com

Corporate & Head Office : Shreeram Bhawan, Tumsar – 441 912 (India) TEL. : +91-7183-232233,

FAX : +91-7183-232271; CIN – L27100MH2004PLC146283

**MA 631/2017 & MA 574/2018 in
CP. No. 18/I&BP/NCLT/MAH/2017**

Under section 30, 31, 33 & 34
of IBC, 2016

MA No. 631/17
Mr. Sunil G Nanal
Resolution Professional ... Applicant

MA No. 574/18
Magnum Steel and Power Limited
... Resolution Applicant

In the matter of

Facor Steel Limited
... Corporate Debtor

Order delivered on : 26.06.2018



Coram:

Hon'ble Mr. B.S.V. Prakash Kumar, Member (J)
Hon'ble Mr. V. Nallasenapathy, Member (T)

For the Applicant: Mr. Omkar Deosthale, CS.
For the Resolution Applicant : Manoj Kumar Garg, Advocate

Per V. Nallasenapathy, Member (Technical)

ORDER

Facor Steel Limited, the Corporate Debtor herein was put into Corporate Insolvency Resolution Process U/s 10 of the Insolvency and Bankruptcy Code, 2016 by an order of this Adjudicating Authority dated 08.03.2017.

Initially, the Resolution professional filed application No. 631/17 on 01.12.2017 for approval of resolution plan as decided by the Committee of Creditors (hereinafter referred as COC) with 86% voting. The resolution plan provides that the resolution applicant agrees to deposit a sum of Rs.5.00 Crore on or before 11.12.2017 as earnest money deposit in a no lien account of the Corporate Debtor to be opened with the Bank of India at Vizag. Further, the resolution applicant agreed to pay Rs.1.50 Crores immediately on sanction of the Resolution Plan by the adjudicating authority.

1. This adjudicating authority heard the Misc. Application No. 631 of 2017 and orders were reserved on 11.12.2017. However, since the file was misplaced no orders could be passed and the resolution professional have also not mentioned the matter even though it was long pending. Subsequently, the Registry after a thorough search got hold of the papers and the matter was listed for further hearing on 12.06.2018. The resolution professional submitted that the Resolution applicant failed to deposit a sum of Rs.5.00 Crore as undertaken by it. The resolution applicant sought time to file an affidavit to that effect and this bench has directed the learned counsel appearing for the resolution applicant that the resolution applicant shall be present for the next hearing which was fixed on 22.06.2018.

2. The resolution professional filed an affidavit seeking for liquidation order U/s 33 (1) with a further prayer that he may be appointed as a liquidator U/s 34(1) of the Code.

3. The resolution applicant filed Misc. Application No.574 of 2018 praying for permission to withdraw the resolution plan dated 27.11.2017. Surprisingly, the Resolution Applicant also prayed for 6 Month time for arranging the amount to be paid to the Banker's/Financial Institution of Facor Steels Limited. This bench heard the submissions of the Counsel for the Resolution Applicant. The Resolution Applicant submits that if 6 Month time is given they will find a new investor who will pump in money for the Resolution of the Corporate Debtor. From the submissions it is clear that the Resolution Applicant does not have funds of its own to finance the resolution process. It is an admitted fact the Resolution Applicant could not generate the funds in the last 6 Months. Accordingly, Application No. 574 of 2018 is dismissed.

4. In view of the fact that the Resolution Applicant is not ready to bring the funds, sought for withdrawal of the resolution plan and the

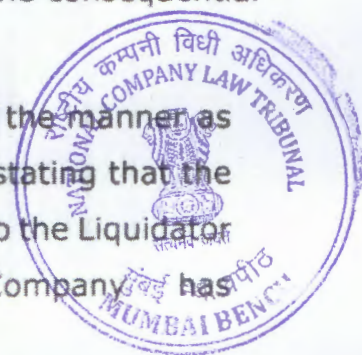


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CP No.18/I&BP/2017

Resolution Professional filed an affidavit seeking liquidation of the Corporate Debtor, this bench is of the view that the Corporate Debtor is to be liquidated. Accordingly, the Corporate Debtor is ordered to be liquidated as provided U/s 33(1)(b) of the Code with the consequential directions as below:-

- a. that the Corporate Debtor to be liquidated in the manner as laid down in the Chapter by issuing Public Notice stating that the Corporate Debtor is in liquidation with a direction to the Liquidator to send this order to the ROC under which this Company has been registered.
- b. that the Resolution Professional herein is hereby appointed as Liquidator as provided under Section 34(1) of the Code.
- c. all the powers of the Board of Directors, key managerial persons; the partners of the Corporate Debtor hereafter ceased to exist. All these powers henceforth vest with the Liquidator.
- d. that the personnel of the Corporate Debtor are directed to extend all co-operation to the Liquidator as required by him in managing the liquidation process of the Corporate Debtor.
- e. that the Liquidator will charge fees for conduct of the liquidation proceedings in proportion to the value of the liquidation estate assets as specified by the IBBI and the same shall be paid to the Liquidator from the proceeds of the liquidation estate under Section 53 of the Code.
- f. that on having liquidation process initiated, subject to section 52 of the Code, no suit or other legal proceeding shall be instituted by or against the Corporate Debtor save and except the liberty to the liquidator to institute suit or other legal proceeding on behalf of the corporate debtor with prior approval of this Adjudicating Authority.



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g. This liquidation order shall be deemed to be notice of discharge to the officers, employees and workmen of the Corporate Debtor except to the extent of the business of the Corporate Debtor continued during the liquidation process by the Liquidator.

Sd/-

V. NALLASENAPATHY
Member (Technical)

Sd/-

B. S.V. PRAKASH KUMAR
Member (Judicial)



Certified True Copy

Copy Issued "free of cost"

On: 4/7/2018


Assistant Registrar

National Company Law Tribunal Mumbai Bench

FORM B
PUBLIC ANNOUNCEMENT
(Regulation 12 of the Insolvency and Bankruptcy (Liquidation Process) Regulation, 2016)
FOR THE ATTENTION OF THE STAKEHOLDERS
OF FACOR STEELS LIMITED, NAGPUR

RELEVANT PARTICULARS

1)	Name of the corporate debtor	Facor Steels Limited
2)	Date of incorporation of corporate debtor	13 May 2004
3)	Authority under which corporate debtor is incorporated/registered	Registrar Of Companies, Mumbai
4)	Corporate identity number / limited liability identification number of corporate debtor	L27100MH2004PLC146283
5)	Address of the registered office and principal office (if any) of the corporate debtor	46 (A & B), MIDC Industrial Estate, Hingna Road, Nagpur, Maharashtra – 440028
6)	Date of closure of insolvency resolution process	03 December 2017
7)	Liquidation commencement date of corporate debtor	04 July 2018
8)	Name, address, email address, telephone number and the registration number of the liquidator	Sunil Gajanan Nanal C/o KANJ and Associates, Company Secretaries, 3-4, Aishwarya Sankul, 17 G.A. Kulkarni Path, Opp. Joshi's Railway Museum, Kothrud, Pune - 411038 sunil.nanal@kanjcs.com 9881231507 Regn No. - IBBI/PA-002/IP-N00194/2017-18/10560 Dated 11.07.2017
11)	Last date for submission of claims	03 August 2018

Notice is hereby given that Hon'ble National Company Law Tribunal, Mumbai Bench has ordered the commencement of Liquidation of Facor Steels Limited, Nagpur by its order MA-631/2017 & MA-574/2018 in CP No.18/I & BP/NCLT/MAH/2017 dated 26.06.2018 effective from 4th July 2018 (The date of receipt of the NCLT order).

The stakeholders of Facor Steels Limited, Nagpur are hereby called upon to submit a proof of their claims on or before 03 August, 2018, to the liquidator at the address mentioned against item 8.

The financial creditors shall submit their proof of claims by electronic means only. All other stakeholders may submit the proof of claims in person, by post or electronic means.

Submission of false or misleading proofs of claims shall attract penalties

Sunil Gajanan Nanal, Liquidator - 06 July 2018, Pune