S.No.10

IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – II
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
01.09.2026 AT 10:30 A.M.

IA (IBC)/64/2026 in IA (IBC)/1820/2023,IA (IBC) 1184/2026 in
Company Petition IB/64/9/HDB/2023
U/s 9 of IBC

IN THE MATTER OF:
GP Petroleums Ltd **…Petitioner/s**

Vs
Tirumala Hills Asphalat Pvt Ltd **…Respondent**/s

C O R A M:-
SHRI. RAJEEV BHARDWAJ, HON'BLE MEMBER (JUDICIAL)
SHRI. SANJAY PURI, HON'BLE MEMBER (TECHNICAL)

O R D E R

IA (IBC)/64/2026 in IA (IBC)/1820/2023

Present: Mr. Sridhar, Ld. Counsel for the Applicant.

Mr. Adinarayana Babji Kota, Liquidator/Respondent.

Learned Counsel for the Applicant states that he wants to withdraw the Application.

Accordingly, this Application is disposed of as withdrawn.

IA (IBC) 1184/2026

Present: Mr. Adinarayana Babji Kota, Liquidator.

1. The present Application has been filed by the Liquidator seeking extension of the liquidation period for a further period of six months with effect from 06.09.2026. This is the fourth extension sought in the liquidation proceedings.
2. The justification now advanced by the Liquidator is substantially the same as that advanced on the earlier occasions, namely, non-cooperation on the

part of the Suspended Directors in handing over the documents, records and assets of the Corporate Debtor. It has been specifically pleaded that the Suspended Directors have not complied with the orders passed in IA No. 1820 of 2023 dated 09.04.2025 and IA No. 1819 of 2023 dated 04.04.2025.

3. It is stated that, pursuant to the order passed in IA No. 1820 of 2023 on 09.04.2025, the Suspended Directors have failed to hand over the assets, including the plant and machinery of the Corporate Debtor. According to the Liquidator, the Suspended Directors were informed by email dated 10.04.2025 and were thereafter apprised of the position by further communication dated 24.05.2025, followed by a notice dated 11.12.2025. It is further stated that the Suspended Directors have filed an application seeking recall of the order passed in IA No. 1820 of 2023.

4. Likewise, IA No. 1819 of 2023 was disposed of by order dated 04.04.2025, whereby the Suspended Directors were required to contribute a sum of ₹1,00,80,42,880.92 towards the assets of the Corporate Debtor. The record shows that they were intimated by email dated 05.02.2025. The Suspended Director also attended the meeting of the Stakeholders' Consultation Committee held on 16.04.2025. Nevertheless, the aforesaid amount has not been paid.

5. The justification furnished by the Liquidator, however, does not withstand scrutiny. The orders in IA Nos. 1819 and 1820 of 2023 were passed in April 2025. Almost one and a half years have elapsed thereafter. Yet, the record does not disclose any effective or substantive step having been taken by the Liquidator for execution and enforcement of the said orders, recovery of the amount directed to be paid, or securing custody and control of the assets of the Corporate Debtor.

6. The material placed on record indicates that the efforts of the Liquidator have substantially remained confined to issuance of emails and notices. Issuance of correspondence, by itself, cannot be regarded as execution or enforcement of an order passed by this Adjudicating Authority. Once specific orders had been passed for recovery of an amount and handing over of the assets, the Liquidator was expected to take all lawful and effective steps available to him for securing compliance with those orders. No material has been placed before us to demonstrate that any such substantive step was taken during the period that has elapsed.
7. More importantly, the Liquidator cannot seek successive extensions of the liquidation period merely by referring to the continued non-cooperation of the Suspended Directors, particularly when the orders passed to address such non-cooperation have themselves not been effectively pursued. An order in favour of the liquidation estate cannot serve its purpose unless the Liquidator takes timely and effective steps for securing its implementation.
8. The pendency of an application seeking recall of an order also does not, by itself, justify the Liquidator in remaining inactive. Unless the operation or implementation of the order has been stayed or otherwise interdicted by a competent forum, the Liquidator is required to proceed in accordance with law. No order staying the operation or execution of the orders passed in IA Nos. 1819 and 1820 of 2023 has been brought to our notice.
9. The statutory scheme of liquidation contemplates expeditious realisation of the assets of the Corporate Debtor and distribution of the proceeds in accordance with law. The liquidation process cannot be permitted to continue indefinitely by seeking successive extensions on substantially repetitive grounds, particularly where the record demonstrates that the delay has, at least in substantial measure, resulted from the failure to take

timely and effective steps for implementation of the orders already passed by this Adjudicating Authority.

10. In the present case, the difficulty is not merely that certain assets or amounts remain to be recovered. The more significant aspect is that despite specific orders of this Adjudicating Authority having been passed almost one and a half years ago, the Liquidator has failed to demonstrate any meaningful progress towards their execution and enforcement. The responsibility for conducting the liquidation process within the statutory framework rests upon the Liquidator. That responsibility cannot be shifted entirely upon the Suspended Directors merely by referring to their non-cooperation.

11. We are, therefore, unable to accept that the present state of the liquidation proceedings constitutes sufficient justification for granting another extension to the existing Liquidator. The failure to take effective steps for such a considerable period has resulted in avoidable prolongation of the liquidation process and is inconsistent with the time-bound nature of the liquidation mechanism under the Code.

12. In these circumstances, we are of the considered view that continuation of the present Liquidator would not be conducive to the expeditious completion of the liquidation process. The present Liquidator is, accordingly, required to be replaced.

13. At the same time, certain assets of the Corporate Debtor are yet to be taken into custody and substantial amounts remain to be recovered pursuant to the orders passed by this Adjudicating Authority. It would, therefore, be in the interest of the liquidation estate to extend the liquidation period so that the remaining process can be completed under the supervision of a new Liquidator.

14. Accordingly, the liquidation period is extended for a further period of six months with effect from 06.09.2026. The present Liquidator shall stand replaced with **Mr.Venkat Narsinga Rao Kalvakota**, having IBBI Registration Number IBBI/IPA-001/IP-P01361/2018-2019/12130, Mobile No:9550142087 and email: kvnrassociates[at]gmail[dot]com. The terms and conditions of appointment of the new Liquidator shall remain the same as those applicable to the outgoing Liquidator.
15. The newly appointed Liquidator shall, without any further loss of time, take effective steps for:

    (i) securing custody and control of all the assets of the Corporate Debtor, including the plant and machinery;

    (ii) taking all necessary steps, in accordance with law, for enforcement and execution of the orders passed in IA Nos. 1819 and 1820 of 2023;

    (iii) recovery of the amount of ₹1,00,80,42,880.92 directed to be contributed towards the assets of the Corporate Debtor; and

    (iv) completing the remaining liquidation process expeditiously and, as far as possible, within the extended period.

16. With the aforesaid directions, the present Application stands disposed of.

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MEMBER(T) **MEMBER(J)**