IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
COURT – 2

ITEM No.301

C.P.(IB)/142(AHM)2026

Proceedings under Section 59 IBC

IN THE MATTER OF:

IP Dharmendra Dhelariya Voluntary Liquidator of China Ecotek India Private Limited **.....Applicant**

.....Respondent

Order delivered on: 05/11/2026

Coram:

Mrs. Chitra Hankare, Hon'ble Member(J)
Dr. Velamur G Venkata Chalapathy, Hon'ble Member(T)

ORDER

This case is fixed for pronouncement of order

The order is pronounced in open court vide separate sheet

SD/-

DR. V. G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

SD/-

CHITRA HANKARE
MEMBER (JUDICIAL)

BEFORE THE ADJUDICATING AUTHORITY
NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
COURT NO. II

CP (IB)142 (AHM)/2026

[Application under Section 59(7) of the Insolvency and Bankruptcy Code, 2016 read with the Regulation 38 of the Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017]

In the Matter of:

IP Dharmendra Dhelariya
Liquidator of :
M/s. China Ecotek India Private Limited
B-605, Titanium Square,
Thaltej Cross Road,
Thaltej, Ahmedabad-380054

.... Liquidator/Petitioner

Order Pronounced on: 05/11/2026

CORAM:

MRS. CHITRA HANKARE
HON'BLE MEMBER (JUDICIAL)

DR. V.G. VENKATA CHALAPATHY
HON'BLE MEMBER (TECHNICAL)

Appearance:

For the Applicant: Ms. Noopur Dalal, Adv.

For the Income Tax: Mr. Aman A Mir, Advocate

For the ROC: Ms. Ishani Pandya, Dy. RoC

J U D G M E N T

1. The present petition has been filed by Mr. Dharmendra Dhelariya, Liquidator of "M/s.

China Ecotek India Private Limited" under Section 59 of the Insolvency & Bankruptcy Code, 2016 ("IBC" or "the Code") r/w Regulation 38 of Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, ("Voluntary Liquidation Regulations") seeking dissolution of the Company.

2. Vide order dated 30.06.2026, notice was issued to the concerned authorities for filing their report and appearance in the matter.

Submissions of Liquidator:

3. The Corporate Person M/s. China Ecotek India Private Limited is a private limited company registered under companies Act, 2013 having CIN: U29248GJ2012FTC071597 and its registered office is situated at B-33, Second Floor, Janki Residency, Undera Koyli Road, Undera, Gujarat, India-391330. The main object of the Company is mentioned in Memorandum of Association and Article of Association.

4. The Authorized Share Capital of the Company is Rs.

5,00,00,000/- divided into 50,00,000/- equity shares of Rs. 10/-. The paid up share capital of the company is Rs. 5,00,00,000/- divided into 50,00,000/- equity shares of Rs. 10/- each.

5. As per requirement of under Section 59(3)(a) of the Insolvency and Bankruptcy Code, 2016 and Regulation 3(1)(a) of Insolvency and Bankruptcy Board of India (’Voluntary Liquidation Process) Regulations, 2017. The Directors of the Company had filed Declaration of Solvency dated 22nd December, 2025 and Form GNL-2 for declaration of solvency has been filed with the Ministry of Corporate affairs vide SRN AC1072803 dated 7th January, 2026.

6. The Corporate Person had passed the Special Resolution at the Extra Ordinary General Meeting held on 2nd January, 2026, to liquidate the affairs of the Corporate Person through voluntary liquidation and appoint Insolvency Professional, Mr. Dharmendra Dhelariya to act as Liquidator of the Corporate person for the purpose of Voluntary Liquidation of the affairs of the Corporate Person. The copy of the said resolution has been uploaded through Form MGT-14

on the MCA portal vide SRN AC1019951 dated 2nd January, 2026.

7. The Liquidator made a public announcement of commencement of liquidation in Form -A as per Regulation 14 of Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017 in "The Indian Express" in English & and in "Loksatta Baroda" in Gujarati dated 3rd & 4th January, 2026. The last date for submission claim was 1st February, 2026. The intimation of the same communicated to IBBI on 4th January, 2026. There were no creditors in the Company. However, during the period which was kept open for submission of claims, the Liquidator has not received any claims in the matter of Corporate Debtor.

8. In accordance with Regulation 9 of the Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, a preliminary report dated 13th February, 2026, was submitted by the Liquidator, Mr. Dharmendra Dhelariya to the corporate person.

9. Pursuant to Regulation 34 (1) of The Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, a separate Bank Account was opened in the name of " CHINA ECOTEK INDIA PVT LTD IN VOLUNTARY LIQUIDATION" with CTBC Bank Co. Ltd, New Delhi Branch, Ground Floor & 2nd Floor, Aria Tower, JW Marriott Hotel, Delhi-Aerocity, Asset Area4, New Delhi- 110037.

10. The Income Tax Authorities, the Registrar of Companies, the Insolvency and Bankruptcy Board of India, Goods & Service Tax Department and Banks were duly intimated about the corporate person's voluntary liquidation process and appointment of the Liquidator.

11. As on Liquidation Commencement Date i.e. 02-d January, 2026 there were no identified debtors and hence, provision to circulating intimation regarding initiation of voluntary liquidation with respect to the corporate debtor and appointment of the Liquidator to the Company debtors was not applicable.

12. Pursuant to Regulation 30 of The Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, the list of stakeholders has not prepared by the liquidator as there is no claim received by the liquidator. The Liquidator has not received receipt of the claim from the creditor of the corporate person and accordingly the question of payment does not arise.

13. Pursuant to Regulation 35(1) of The Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, distributions were made to the Equity Shareholders according to their percentage of shareholding. The concerned bank issued account closure certificate on 2nd April, 2026.

14. Pursuant to Regulation 37(2) of the Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, in the event that the liquidation process extends beyond 270/90 days, as stipulated under Regulation 37(1), the Liquidator is required to

convene a Meeting of Contdbutories within 15 days from the end of the stipulated period and subsequently every 270/90 days thereafter, along with a Status Report outlining the progress of the liquidation. The liquidation process remains within the prescribed timeline; hence, the provisions of Regulation 37(2) are not applicable

15. All the Statutory certificates issued by the respective Statutory Authorities to the Company are in the process for surrender by the Liquidator.

16. Pursuant to Section 59 of the Insolvency and Bankruptcy Code, 2016 read with Regulation 38 of the Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, the Final report was submitted with the Registrar of Companies through Form GNL – 2 filed vide SRN AC2910795 on 7th April, 2026. The same was also submitted to Insolvency and Bankruptcy Board of India vide mail dated 7th April, 2026.

Reply of ROC:

17. Dy. ROC appeared and filed their report dated 21.07.2026 stating that the Company had filed their financial statements for the FY ending as on 31.03.2024. The ROC has also submitted details of Master Data. Also stated that with this office, no prosecution, complaints, compounding and this matter is pending against the company.

Department of Income Tax:

18. Ld. Counsel for the Income Tax Department appeared and filed its report dated 14th September, 2026 and submitted as under:

"*On verification of demand status in ITBA, it is found that no outstanding income-tax demand is pending against the assessee as on the commencement date of voluntary liquidation i.e. 02.01.2026. On further, verification through ITBA module it is seen that there is also no proceedings are pending as on date*".

19. Findings:

20. We have gone through the application filed by the applicant/ Liquidator seeking dissolution in terms of section 59(7) of the Code and have heard

the arguments of the Liquidator/PCS for the Corporate Person. In view of the foregoing steps taken and the satisfaction accorded by the Liquidator by way of the present application, there is no legal impediment in allowing the prayer of the applicant. However, without prejudice to the rights of any regulatory authorities for pursuing any action if any pending, not brought to the notice of this authority, we conclude the application can be allowed.

21. Accordingly, we hereby pass following order :

O R D E R

i. M/s. China Ecotek India Private Limited the Corporate Person shall stand dissolved from the date of this order.

ii. The Liquidator is directed to file this order with the concerned Registrar of Companies, Income Tax Department and IBBI within 14 days from the date of receipt of an authentic copy this order, for information and necessary action.

iii. The Liquidator is also directed to file this order with all other Statutory Authorities connected with the affairs of the Company.

iv. The Liquidator shall preserve a physical or an electronic copy of the reports, registers and books of account referred to in Regulations 8 and 10 of IBBI Regulations for at least eight years after the dissolution of the Corporate Person, either with himself or with an information utility.

v. Accordingly, CP(IB) 142(AHM)/2026 is allowed and stands disposed of.

SD/- SD/-

DR. V.G. VENKATA CHALAPATHY
MEMBER(TECHNICAL)

CHITRA HANKARE
MEMBER(JUDICIAL)

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