

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH
AT HYDERABAD**

**CP No. IB/41/7/HDB/2017
Under Section 7 of IBC**

In the matter of

CANARA BANK, Prime Corporate Branch, TSR Complex,
2nd Floor, 1-7-1, S.P. Road, Secunderabad-500 003 rep.
by Shri P.Koteswara Rao, Chief Manager.

.... Applicant/Financial Creditor

Versus

Deccan Chronicle Holdings Limited
36, Sarojani Devi Road,
Secunderabad-500 003
Rep. by its Chairman &
Managing Director.

... Respondent/Corporate Debtor

Order dated: 19.07.2017



**CERTIFIED TO BE TRUE COPY
OF THE ORIGINAL**

CORAM:

Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)

Hon'ble Shri Ravikumar Duraisamy, Member (Technical)

Counsels for the Financial Creditor Mr. Deepak Bhattacharjee, Senior Advocate with Mr. Dishit Bhattacharjee, Advocate

Counsels for Corporate Debtor Mr. Alok Dhir, Advocate along with Ms Varsha Banerjee, Mr. Milan Singh Negi, Mr. A.S. Prashanth and Mr. Amir Ali, Advocates

Per: Ravikumar Duraisamy, Member (Technical)

ORDER

1. Heard Shri Deepak Bhattacharjee, Learned Senior Counsel along with Shri Dishit Bhattacharjee, Learned Counsel for the Petitioner and Shri Alok Dhir, alongwith Shri A.S. Prashanth, Learned Counsels for the Respondent.
2. In continuation to the order dated 05.07.2017, after hearing both the Counsels, we are conscious of the fact that the Corporate Debtor is in the business of publishing newspapers, periodicals, touching lives of lakhs of people and employing thousands of people directly or indirectly. The Corporate Debtor is also in important Sector i.e print media. Considering above, we have granted sufficient opportunities for both the parties and after satisfying that no disciplinary proceedings are pending against the proposed Insolvency Resolution Professional, we are inclined to appoint Insolvency Resolution Professional and grant moratorium under Insolvency and Bankruptcy Code, 2016.
3. By invoking the powers under Sections 10,12,13,14,15,16, 17, 18, 19, 20, 21, 22 and 25 and other applicable provisions of the Insolvency and Bankruptcy Code, 2016, the Bench passes the following order :-
 - (a) We hereby appointed Shri Koteswara Rao Karuchola (Certificate No. IBBI/IPA-003/IP-N00039/2017-18/10301), M/s K.K. Rao and



Associates ,Cost Accountants, 2-B, Samrat Residential Complex, 5-9-12, Opp. A.Gs Office, Saifabad, Hyderabad – 500004 as Interim Resolution Professional by exercising powers under section 16 of IBC, 2016 ;

(b) Considering the nature of the industry, the importance attached to the media Industry, the Interim Resolution Professional is also advised to be very cautious in all his actions and he should also ensure that existing business should be continued as a going concern and should not suffer in any manner.

(c) We hereby declare the following Moratorium by prohibiting the following actions:-

- i) The institution of suits or continuation of pending suits or proceedings except before the Hon'ble High court (s) and Hon'ble Supreme court of India, against the Corporate Debtor including execution of any judgment, decree or order in any court of law, Tribunal, arbitration panel or other authority:
- ii) Transferring , encumbering, alienating or disposing of by the Corporate Debtor any of its assets or any legal right or beneficial interest therein;
- iii) Any action to foreclose, recover or enforce any security interest created by the Corporate debtor in respect of its



property including any action under Securitization and Reconstruction of Financial Assets and Enforcement of Security interest Act, 2002 (54 of 2002) ;

- iv) The recovery of any property by an owner or lessor where such property is occupied by or in possession of the corporate Debtor;
- v) Section 14(2) of the IBC Code, 2016 already exempted supply of essential goods and services to the Corporate Debtor and in addition the Learned Counsels for the Respondent submitted that goods/services viz. Water, Electricity, Printing ink, Printing plates, Printing Blanket, Solvents etc. will also come under the purview of exemption and thus prayed to exempt above good/services from moratorium. We are convinced with the prayer of the Respondent that the above goods and services would come under exemption under this Section. Hence, we clarify that goods/services viz. Water, Electricity, Printing ink, Printing plates, Printing Blanket, Solvents etc. will come under this Section and these essential goods or services to Corporate Debtor shall not be terminated or suspended and interrupted during the moratorium period.

- d) Direct to cause a public announcement of the initiation of Corporate Insolvency Resolution Process immediately as prescribed under section 15 (1) and (2) of Insolvency and Bankruptcy Code, 2016, on www.ibbi.gov.in (designated website of Insolvency and Bankruptcy Board of India, circulated vide IIBI/IP/PUBLIC ANN/221 dated 01.02.2017) in addition to other



accepted modes of publication immediately and call for submission of claims as per Section 15 of the IBC read with Regulation 6 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016. The Company is also directed to publish the same in their Official website.



- e) We direct the Interim Resolution Professional to constitute a Committee of Creditors, after collation of all claims received against the Corporate Debtor and determination of financial position of Corporate Debtor, as per Section 21 of IBC. The First meeting of the committee of creditors, shall be held within 7 days of the constitution of committee of creditors and their decision has to be communicated to the Tribunal as per Section 22 of the IBC.
- f) Direct the personnel of Deccan Chronicle Holdings Limited (DCHL) its promoters or any other person associated with the management of DCHL to assist and cooperate with Interim Resolution Professional to provide access to documents and records and management of the affairs of the Company.
- g) We direct the Interim resolution professional to strictly adhere to all extant provisions of the Insolvency and Bankruptcy Code, 2016 and Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, and

shall report his actions promptly to this Tribunal by way of sworn affidavit.



a) Post the case on 21.08.2017.

Sd/-
RaviKumar Duraisamy
Member (T)

Sd/-
Rajeswara Rao Vittanala
Member (J)

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OF THE ORIGINAL**

V. Annapoorna
V. ANNAPOORNA
Asst. DIRECTOR
NCLT, HYDERABAD.