

IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – 1, AHMEDABAD

ITEM No.8 - IA/1006(AHM)2026
in
C.P.(IB)/37(AHM)2026

Proceedings under Section 7 IBC

IN THE MATTER OF:

Bank of Baroda

.....Applicant

V/s

Koriya Infra Private Limited

.....Respondent

Order delivered on: 06/07/2026

C O R A M:

MR. SHAMMI KHAN, HON'BLE MEMBER (J)

MR. SANJEEV SHARMA, HON'BLE MEMBER (T)

P R E S E N T:

For the Applicant

: Mr. Rahul Bhavsar, Adv. for

: Mr. Nipun Singhvi, Adv. a. w.

: Mr. Rathin A. Majmudar, RP in person

For the Respondent

:

ORDER
(Hybrid Mode)

IA/1006(AHM)2026

1. The present Interlocutory Application has been filed by the Resolution Professional of Koriya Infra Private Limited under Section 60(5)(c) of the Insolvency and Bankruptcy Code, 2016 read with Rule 11 of the National Company Law Tribunal Rules, 2016 seeking directions to the Foreigners Regional Registration Office (FRRO)/Bureau of Immigration to furnish the travel and immigration particulars of the Suspended Board of Directors of the Corporate Debtor for the purpose of conducting the Corporate Insolvency Resolution Process.
2. The Applicant has submitted that the Corporate Debtor was admitted into Corporate Insolvency Resolution Process vide order dated 27.02.2026 passed in C.P. (IB) No. 37/NCLT/AHM/2026 and the Applicant was appointed as the Interim Resolution Professional. Thereafter, the Applicant assumed charge of the affairs of the Corporate Debtor and initiated the Corporate Insolvency Resolution Process in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016.
3. It is submitted that repeated communications were addressed to the Suspended Board of Directors calling upon them to hand over the books of account, statutory records and other documents of the Corporate Debtor. However, the Suspended

Directors neither responded to the communications nor extended cooperation to the Applicant.

4. The Applicant has further submitted that I.A. No. 538 of 2026 was filed under Section 19(2) of the Insolvency and Bankruptcy Code, 2016 seeking cooperation from the Suspended Board of Directors. During the proceedings, passport particulars of the Suspended Directors became available from the reply filed before this Adjudicating Authority. Thereafter, liberty was granted to implead the Regional Passport Office, Ahmedabad and necessary amendment was carried out by filing I.A. No. 735 of 2026.
5. The Applicant has stated that the Regional Passport Office, Ahmedabad, by communication dated 15.05.2026, furnished the passport particulars of the Suspended Directors and informed that travel history and immigration movement records are maintained by the Bureau of Immigration/Foreigners Regional Registration Office. Accordingly, the Applicant addressed communications dated 21.05.2026 and 26.05.2026 to the FRRO/Bureau of Immigration requesting the travel and immigration details. According to the Applicant, no response has been received.
6. The Applicant has submitted that the present whereabouts of the Suspended Directors are not known and their cooperation is necessary for obtaining records and information relating to the affairs of the Corporate Debtor and for carrying out the Corporate Insolvency Resolution Process. It is further submitted that the travel and immigration records maintained by the FRRO/Bureau of Immigration are required to ascertain whether the Suspended Directors are presently residing in India or outside India and to trace their present location.
7. We have considered the submissions made in the Application and perused the material available on record.
8. The Corporate Debtor is undergoing Corporate Insolvency Resolution Process pursuant to the order dated 27.02.2026 passed by this Adjudicating Authority. Under Sections 17, 18, 19, 20, 23 and 25 of the Insolvency and Bankruptcy Code, 2016, the Resolution Professional is under a statutory obligation to take control and custody of the assets and records of the Corporate Debtor, preserve its value and conduct the Corporate Insolvency Resolution Process in accordance with law.
9. Section 19 of the Insolvency and Bankruptcy Code, 2016 casts an obligation upon the personnel and promoters of the Corporate Debtor to extend assistance and cooperation to the Interim Resolution Professional or the Resolution Professional in managing the affairs of the Corporate Debtor. In case of failure to cooperate, this Adjudicating Authority is empowered to issue appropriate directions for facilitating the Corporate Insolvency Resolution Process.
10. The record shows that the Applicant has obtained the passport particulars of the Suspended Directors from the Regional Passport Office. The communication dated 15.05.2026 issued by the Regional Passport Office states that travel history and immigration movement records are maintained by the Bureau of Immigration/FRRO. The Applicant has thereafter addressed communications dated 21.05.2026 and 26.05.2026 requesting the said information. No material has been placed on record to indicate that the requested information has been furnished.

11. The information sought by the Applicant is confined to the travel and immigration particulars of the Suspended Directors for tracing their whereabouts in connection with the Corporate Insolvency Resolution Process. Such information has been sought after exhausting the available means for securing cooperation and is stated to be necessary for discharge of the statutory duties of the Resolution Professional.
12. In the facts of the present case, this Adjudicating Authority is of the view that appropriate directions are required to facilitate the conduct of the Corporate Insolvency Resolution Process.
13. Accordingly, the Interlocutory Application is allowed with the following directions:
 - (i) The Foreigners Regional Registration Office (FRRO)/Bureau of Immigration shall examine the request made by the Resolution Professional and furnish the available travel and immigration particulars of Mr. Bhikhubhai Kishanbhai Koriya and Mrs. Shilpakumari Bhikhubhai Koriya, including the dates of departure from and arrival into India, destination country, present immigration status and such other travel particulars available in its records.
 - (ii) The above information shall be furnished to the Resolution Professional within **14 days** from the date of receipt of a copy of this order, subject to the provisions of the applicable law governing maintenance and disclosure of such records.
 - (iii) The Resolution Professional shall use the information furnished pursuant to this order only for the purposes of discharge of duties under the Insolvency and Bankruptcy Code, 2016 and shall maintain confidentiality in accordance with the provisions of the Code and the applicable law.
 - (iv) If any information sought is not available in the records of the FRRO/Bureau of Immigration or cannot be disclosed under any statutory provision, the concerned authority shall communicate the same to the Resolution Professional within the aforesaid period indicating the relevant reason.
14. The Resolution Professional shall place the compliance of this order on record, if required, in the pending Corporate Insolvency Resolution Process.
15. Accordingly, **IA/1006(AHM)2026** stands **disposed of** in the above terms. No order as to costs.

Sd/-

SANJEEV SHARMA
MEMBER (TECHNICAL)

Sd/-

SHAMMI KHAN
MEMBER (JUDICIAL)