

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

(IB)-348 (ND)/2017

CORAM:

PRESENT: SH. S. K. MOHAPATRA
HON'BLE MEMBER(T)

SMT. INA MALHOTRA
HON'BLE MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 20.07.2018

NAME OF THE COMPANY: M/s Rachna Sarees Vs. Charming Apparels Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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	Present for the Petitioner:	Mr. Alok Kumar Kuchhal IRP in person Mr. Manish Jain, Advocate for IRP		
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ORDER

CA 205 of 2018 has been filed by the IRP praying for exclusion of certain days from the period of the Resolution Process. It is submitted that though the order was pronounced on 8th of December, 2017, the same was not communicated to them. They learnt about the said order only on 22nd of May, 2018 and filed the present application 24th of May, 2018 and

Upon an enquiry being made, it has been confirmed that this case was not reflected in the cause list of 8th December, 2017 for pronouncement, nor uploaded on the net. There have been a change of Bench Officers and during that period it probably escaped due compliance. The said order was finally upload on 19th of January, 2018. Keeping in view facts of the case and reliance on the judgment of the Hon'ble NCLAT in the matter of Quinn Logistics India



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Pvt. Ltd. Vs. Mack Soft Tech Pvt. Ltd. & Ors. In Co Appeal (AT) (Insolvency)
No. 185 of 2018, the IRP prays for exclusion from the period of Resolution.

Accordingly, we permit the time between 8th December, 2017 (date of order) to 19th January, 2018 (date of uploading) being 42 days be excluded from the period of Resolution Process. Further, it is submitted that this application which was filed on 24th of May, 2018 and listed before the Bench on 01.06.2018 and has not been disposed off till date be excluded. This period of 58 days of pendency of this application is also permitted to be excluded. The IRP is however directed to ensure expeditious compliance in this case and take all such other steps are mandatory under the statute.

Interim report be filed. Be listed before the Regular Bench on 29th August, 2018.

CA 205 stands disposed off.

Copy of the order be given. Dasti.

Sd/-

(S. K. Mohapatra)
Member (T)

-Sd-/-

(Ina Malhotra)
Member (J)