

**DIVISION BENCH**

**O-117**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/1694(KB)2019  
IA/37(KB)2021, IA/166(KB)2021,  
IA/322(KB)2021, IA/478(KB)2021

**Present: 1. Hon'ble Member(J), Shri Rajasekhar V.K.  
2. Hon'ble Member(T), Shri Harish Chander Suri**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 02<sup>nd</sup> July, 2021, 10:30 A.M**

|                     |  |                        |                     |
|---------------------|--|------------------------|---------------------|
| Name of the Company | AIRCOM TRAVELS PRIVATE LIMITED<br>Vs.<br>MOHAN MOTORS DISTRIBUTORS PRIVATE LIMITED |                        |                     |
| Under Section       | IBC Under Sec 9(CIRP)  |                        |                     |
| Sl. No.             | Name & Designation of Authorized Representative (IN CAPITAL LETTERS)               | Appearing on behalf of | Signature with date |

**Counsel / Authorised Representative appeared through video conference:**

1. Mr. Sandip Kumar Kejriwal, Erstwhile IRP ] Self
1. Mr. Shaunak Mitra, Advocate ] For RP
2. Mr. Kamal Agarwal, RP ] Self

**ORDER**

1. Ld. Counsel/Ld. Authorised Representative for the parties present.
2. **IA/37(KB)2021** – One last opportunity is given to HDFC Bank and Yes Bank to comply with the directions given in the order dated 26/02/2021 regarding payment of proportionate share of IRP fees. ICICI Bank, Infosoft Global Private Ltd and Aircom Travels Private Ltd. have paid their proportionate share of IRP fees. Registry is directed to forward a copy of this order to the concerned **HDFC Bank (Respondent No.2)** and **Yes Bank (Respondent No.4)** respectively. List this matter on **26/07/2021**.

3. **IA/322(KB)2021**

(a) This is an application filed by the RP, Mr. Kamal Agarwal, praying for exclusion of 48 days starting from 23/02/2021 to 12/04/2021 from the CIRP period, which was approved by the CoC at its 6<sup>th</sup> meeting held on 26/02/2021 with 91.93% voting share.

(b) Period from 06/01/2021 to 23/02/2021, which is the time when question of replacement of Mr. Sandip Kumar Kejriwal, IRP with Mr. Kamal Agarwal, RP is remained under consideration by this Bench.

(b) We have heard the Ld. Counsel for the RP and perused the documents attached therewith. We are satisfied that the prayer made in the IA should be allowed. Therefore, 48 days from 23/02/2021 to 12/04/2021 shall stand excluded from the CIRP period. Even though the applicant seeks exclusion only up to 12/04/2021, there was complete lockdown in the State of West Bengal in the months of May 2021 and June 2021. Therefore, that period from 01/05/2021 to 30/06/2021 is also excluded.

(c) IA/322(KB)2021 shall stand disposed of accordingly.

4. IA/478(KB)2021 & IA/166(KB)2021 – List these IAs on 26/07/2021.

**(Harish Chander Suri)**  
**Member (Technical)**

**(Rajasekhar V.K.)**  
**Member (Judicial)**

hb.

