

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT – IV

ITEM No. 108
(IB)-1226(ND) 2019
IA/391,392(ND) 2021

IN THE MATTER OF:

Ashish Bankar ... Applicant/Petitioner

Vs

M/s Nu Tek India Ltd. ... Respondent

Order under Section 7 of IBC.

Order delivered on 11.02.2021

Coram:

DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)
MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant :
For the Respondent :
For the Liquidator : Mr. Sanjay Kumar Singh, Advocate

ORDER

IA-392/ND/2021:

Learned Counsel for the non-applicant/Respondent-Income-Tax Department states that copy is received by the Assessing Officer, request is made to serve the copy to the counsel. Let the copy be served by tomorrow to the Counsel Mr. Shlok Chandra, by the Learned Counsel for Liquidator. Reply be filed within 10 days. Rejoinder, if any, one week thereafter with copy in advance to the other side.

List IA on **04.03.2021**.

IA-391/ND/2021:

This is an application filed by the Liquidator seeking exclusion of liquidation period from 22.06.2020 up to 30.09.2020. Learned Counsel states that liquidation order came to be passed on 22.06.2020 but during that period even though unlock had started, be travelling out of Delhi and crossing of borders from Delhi was not regular. Learned Counsel further states that the Corporate Debtor has subsidiary overseas including one in Hongkong which is 100% subsidiary which also is under liquidation as per the order passed by the High Court of Hongkong. During the initial days of the lockdown different rules were followed in different states. Learned Counsel further states that there are 14 different offices of the Corporate Debtor spread across different states. Hence, it was very difficult to conduct any process and receive the response accordingly. Learned Counsel further mentions about the amended Regulation 47(a) of the Liquidation process Regulations, and to allow the exclusion of pandemic lockdown.

Considering the submissions made and affidavit filed by the Liquidator. We allow the application, thereby allowing the exclusion of Covid-19 pandemic lockdown period from 22.06.2020 to 30.09.2020 from calculation of the liquidation process period.

Application is **allowed and disposed** of in terms of the above order.

Sd/-

**SUMITA PURKAYASTHA
MEMBER (TECHNICAL)**

Sd/-

**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**