

**NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH (COURT-I)  
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,  
NATIONAL COMPANY LAW TRIBUNAL, HELD ON **21.04.2021 at 2.00 P.M**  
THROUGH VIDEO CONFERENCING

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**PRESENT: SHRI R. VARADHARAJAN, MEMBER (JUDICIAL)  
SHRI ANIL KUMAR B, MEMBER (TECHNICAL)**

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IA/MA/IBA/TCP/TCA/CP/CA No : IA/301/CHE/2021 IN IBA/446/2019  
NAME OF PETITIONER : R Raghavendran (RP), M/s Terra Energy Ltd  
NAME OF RESPONDENT :  
SECTION : Sec 12(3) r/w Sec 60(5) of IBC 2016 &  
Rule 11 of NCLT Rules 2016

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**ORDER**

Learned Counsel for Applicant / Resolution Professional Mr. B. Dhanaraj is present through video conferencing platform.

It is represented by Learned Counsel for Applicant / Resolution Professional that this Application has been filed seeking for extension as well as exclusion of time as prayed for in the relief portion of the Application primarily arising out of two reasons, one due to the prevalent of Covid-19 pandemic based on which exclusion of time is sought for.

Further Learned Counsel for the Applicant represents that despite efforts being made by the Applicant / RP, the necessary documents and the particulars of the claims which had been lodged with the erstwhile IRP to be handed over to him has not been done, the same has met with failure and in the circumstances, this Application seeking extension of time as well has been moved before this Tribunal.

In relation to IA/141/CHE/2021 seeking for co-operation of the erstwhile IRP, the said matter was listed before this Tribunal on 09.03.2021 wherein, in the presence of the erstwhile IRP specific direction was issued by this Tribunal to hand over the documents and other related particulars of the Corporate Debtor to the RP / Applicant within three working days from the said day, namely, date of the order. However, the said order also stands not complied with by the erstwhile IRP as per representations of Learned Counsel for the Applicant.



Further Learned Counsel for the Applicant also points that a copy of the order seeking for the documents which are required to be handed over have also been duly communicated by e-mail as well as through post and in relation to the postal endorsement as available in the returned cover which has been annexed at Page No.33 learned Counsel for Applicant points out that the addressee viz., erstwhile IRP has refused to receive the consignment.

It is seen from the order dated 09.03.2021 that the matter has been listed on 03.05.2021.

In the circumstances, we direct this Application also be posted on the said date so as to consider whether this Application can be considered in the light of the Application in IA/141/CHE/2021 on the said date viz., **03.05.2021**.

-SD-

**(ANIL KUMAR B)**  
MEMBER (TECHNICAL)

-SD-

**(R.VARADHARAJAN)**  
MEMBER (JUDICIAL)

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