

ATTENDENCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 15.07.2021 AT 10:30 AM THROUGH VIDEO CONFERENCING.

NAME OF THE COMPANY : BANK OF INDIA V/S M/S KOTHARI FOOD & FRAGRANCES PVT LTD

SECTION : 60(5) IBC

PRESENT : HON'BLE MR. JUSTICE (RETD.) RAJESH DAYAL KHARE, MEMBER (J)

COUNSEL FOR APPLICANT/ RP : VIPIN KUMAR KUSHWAHA-FOR-LIQUIDATOR

COUNSEL FOR RESPONDENT :

The matter was taken through Video Conferencing.

Heard Sh. Vipin Kumar Kushwaha, Ld. Counsel for the Liquidator who has filed the present IA No. 204/2021 in CP No.(IB) 310/ALD/2018 u/s 60(5) of IBC praying for exclusion/exemption of the period of 76 days from 16th March, 2021 to 30th June, 2021 of Liquidation Process due to imposition the lockdown by the State Government on account of COVID-19

It is argued that vide notification dated 17.04.2021, 20.04.2021, 29.04.2021, 03.05.2021, 09.05.2021 and 15.05.2021 issued by the State Government, lockdown was imposed on account of COVID-19 Pandemic, copy of which has been annexed as Annexure No. 4 of this Application.

After hearing the Ld. Counsel for the Applicant, this Court is of the opinion that the exclusion be granted for the period of 76 days from 16th March, 2021 to 30th June, 2021 from the Liquidation Process period due to imposition of lockdown on account of COVID-19.

Accordingly, the present application is allowed and disposed of.

No order as to cost.

— Sd —

Dated : 15.07.2021

JUSTICE RAJESH DAYAL KHARE
(MEMBER JUDICIAL)