

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-206
IB-1874/ND/2020
IA/3851/2020

IN THE MATTER OF:

M/s. Anuratan Textiles Pvt. Ltd.

Vs

M/s. Sarveshwar Creations Pvt. Ltd.

....Applicant

....Respondent

SECTION

U/s 9 IBC Code 2016

Order delivered on 18.09.2020

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Abhishek & Mr. Manohar lal for RP, Mr. Ayushman for
Suspended Board of Director

For the Respondent

:

ORDER

IA/3851/2020:-

The present application has been filed on behalf of RP under Section 60(5) read with Rule 11 of the NCLT Rules, 2016 to place on record the second progress report dated 11.09.2020 for the period of 01.07.2020 to 31.08.2020. **The same is taken on record.**

Sd/-

(K.K. VOHRA)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-205
IB-1874/ND/2020
IA/3842/2020

IN THE MATTER OF:

M/s. Anuratan Textiles Pvt. Ltd.

....Applicant

Vs

M/s. Sarveshwar Creations Pvt. Ltd.

....Respondent

SECTION

U/s 9 IBC Code 2016

Order delivered on 18.09.2020

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Abhishek & Mr. Manohar lal for RP, Mr. Ayushman for
Suspended Board of Director

For the Respondent

:

ORDER (Dictated in open Tribunal)

IA/3842/2020:-

The present application has been filed on behalf of RP under Section 12(2) read with Section 60(5) of the IBC, 2016 praying therein to exclude the period of CIRP due to lockdown and further extension of 90 days on the basis of the Resolution passed by the CoC.

Heard the Ld. Counsel for RP and perused the averments made in the application.

Ld. Counsel for RP submitted that CoC took a decision to republish the form G. He further submitted that due to pandemic, there was lockdown from 25.03.2020 to 31.05.2020 and during that period no work has been performed by the RP. He further submitted that so, the period of lockdown i.e. 68 days may be excluded while calculating the period of CIRP on the date of its initiation. He further submitted that the CoC in its meeting dated 26.08.2020, resolved for further extension of 90 days



through e-voting between 29.08.2020 to 03.09.2020 and he further submitted that he has enclosed the resolution which is at page 16 of the application.

Considering the submissions made on behalf of the RP and on perusal of the Resolution passed by the CoC, we think it proper to exclude the period of 68 days on account of the lockdown imposed by the Central Government or the State Government due to pandemic and we further approve the extension of 90 days as approved by the Coc by 100% voting, so, considering in view of Section 12(2) read with Section 60(5) of the IBC, 2016, we hereby extend the period of CIRP for further 90 days from the date when the period of 180 days comes to an end after exclusion the period of 68 days due to lockdown.

With this order, the present application i.e. IA-3842/2020 stands disposed of.

Sd/-

(K.K. VOHRA)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)