

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**PRINCIPAL BENCH**

**C.P. No. 1086/2016**

**IN THE MATTER OF:**

**Capri Bathaid Private Limited**

.....**Petitioner**

**v.**

**Angel Infra Realcon Private Ltd.**

.....**Respondent**

**SECTION : UNDER SECTION 433(e) & 434 of the Companies Act**

**Order delivered on 01.02.2018**

**Coram:**

**CHIEF JUSTICE (RTD.) M. M. KUMAR**  
**HON'BLE PRESIDENT**

**S. K. MOHAPATRA**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENTS:**

For the Petitioner(s):

Ms. Renu Joshi, IP  
Mr. S. Joshi, AR/IP

For the Respondent(s) :

**ORDER**

The Resolution Professional was appointed on 31.08.2017 and the period of 180 days is to expire on 03.02.2018. By invoking the provisions of Section 12(2) of the IBC, 2016, RP has made a request for extending the period of 90 days beyond the period of 180 days. In that regard, single member Committee of Creditors has recommended the aforesaid course of action. The reason for seeking extension of time is that the erstwhile Directors of the suspended board and key personnel of Corporate Debtor were not co-operating and an application was filed under Section 19(2) of the IBC and directions were issued on 21.12.2017 to them to cooperate and furnish Audited Financial statement and related record. It has also been pointed out that Mr. Shiv Shankar Garg, Director of the suspended Board has also been inaccessible throughout.





Keeping in view the aforesaid facts, we are persuaded to take the view that the case for extension is made out under Section 12(2) of the Code. Accordingly, we allow the application and extend the period by 60 days beyond 03.02.2018.

Application stands disposed of.

Sd/-

(M. M. KUMAR)  
PRESIDENT

Sd/-

(S. K. MOHAPATRA)  
MEMBER (TECHNICAL)

01.02.2018  
V.Sethi