

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

**CA No.195/2017
In
CP (IB) No.50/Chd/Hry/2017**

Under Sections 19(2) & 19(3) of IBC, 2016

In the matter of:

Sahara Fincon Pvt. Ltd.	...Petitioner/Financial Creditor
Vs.	
Tirupati Ceramics Ltd.	...Respondent/Corporate Debtor

Present : Mr.Hitesh Sachar, Advocate for petitioner
 Mr.Yogesh Kumar, Advocate for respondent with
 Mr. Amit Sharma, Interim Resolution Professional

The applicant submitted his claim to the Interim Resolution Professional, but his claim was rejected. Learned counsel for applicant submits that the additional documents have been supplied to the IRP and the applicant shall also submit further information as may be required by the IRP. Learned counsel for the Resolution Professional submits that since the claim has been rejected, he is unable to take a fresh decision on the claim submitted by the applicant. It is submitted that in case it is so directed by the Adjudicating Authority, the Resolution Professional would take fresh decision on the basis of the additional information.

2. I have heard the learned counsel for the applicant and Resolution Professional. As per regulation 12(2) of IBBI (CIRP) Regulations, 2016, a creditor, who failed to submit proof of claim within the time stipulated in the public announcement, may submit such proof to the interim resolution

professional or the resolution professional, as the case may be, till the approval of a resolution plan by the committee. There is also an enabling provision in regulation 14(2) of the Regulations that the interim resolution professional or the resolution professional, as the case may be, shall revise the amounts of claims admitted, including the estimates of claims made under sub-regulation (1), as soon as may be practicable, when he comes across additional information warranting such revision.

3. In view of the above, the instant application is allowed and the Resolution Professional shall take a fresh decision on the claim submitted by the applicant by sending email to the applicant calling for the necessary information and further information, if any, within a period to be specified by the Resolution Professional and on doing so he shall verify the claim and take a fresh decision within the prescribed period.

Sd/-
(Justice R.P.Nagrath)
Member (Judicial)

December 13, 2017
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