

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

Item No.-506

IB-2083/ND/2019

(1) IA/1153/2021

(2) IA 687/2021

(3) IA/453/2021

(4) IA/565/2021

(5) IA/2715/2020

IN THE MATTER OF:

M/s Modern Credit Pvt Ltd

V/s

M/s KPG International Pvt Ltd

....Applicant

....Respondent

SECTION

U/s 7 IBC

Order delivered on 01.04.2021

CORAM:

SHRI ABNI RANJAN KUMAR SINHA

HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,

HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Adv. Sunil Kumar Agrawal

For the Respondent :

ORDER

IA/1153/2021:-

Mr. Kamal Chaudhary has appeared and accepts notice on behalf of respondent no. 1 to 3. So, there is no need to issue notice upon these respondents.

Issue notice upon the respondent no. 4 to 6 by all modes including on the Email Id of the respondents as well as through the process of the Bench. Affidavit of service must be filed within one week from today.

Reply on behalf of respondent no. 1 to 3 be filed within two weeks' from today and on behalf the respondent no. 4 to 6 within two weeks' from the date



Chirag



of receipt of the notice. Rejoinder if any be filed, within one week from the date of receipt of the reply. List the matter on **04.05.2021**.

IA 687/2021:-

List this application on **08.04.2021**.

IA/453/2021:-

By filing this application, the Resolution Professional (RP) has prayed for exclusion of 221 days on the ground of lockdown imposed by the Central Government as well as State Government commencing from 25.03.2020 till 31.10.2020.

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

Ld. Counsel for the applicant submitted that on the ground of lockdown imposed by the Central Government as well as State Government, the period commencing from 25.03.2020 to 31.10.2020 may be excluded while calculating the total period of CIRP.

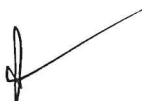
Considering the submissions of the applicant/RP, we notice that in other matters we generally extended/excluded the period, on the ground of lockdown imposed by the Central Government as well as State Governments commencing from 25.03.2020 to 31.05.2020 i.e. 68 days and in some rare cases, we excluded the period commencing from 25.03.2020 to 30.06.2020 i.e. 98 days. So, applying this principle, we hereby exclude the period commencing from 25.03.2020 to 30.06.2020 i.e. 98 days on the ground of lockdown imposed by the Central Government as well as State Government while calculating the total period of CIRP.

With this order, the present application i.e. IA/453/2021 stands disposed off.

IA/565/2021:-

Partly heard. List the matter on **08.04.2021**.

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IA/2715/2020:-

Mr. Kamal Chaudhary has appeared and accepts notice on behalf of respondent no. 1 and 2. Hence there is no need issue notice upon these respondents.

Reply be filed within two weeks' from today. Rejoinder if any, be filed within one week from the date of receipt of the reply.

Ld. Counsel for the RP submitted that IA/2715/2020 shall be heard along with IA/1135/2021. List the matter on **04.05.2021**.

- sd -

(K.K. VOHRA)
MEMBER (T)

- sd -

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)