

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 1

IA Nos. 7/2024, 462/2024, 2683/2023, 762/2024, 1523/2024
and
CP (IB) No. 420/Chd/Pb/2019
(Admitted)

IN THE MATTER OF:

Indian Overseas Bank Chandigarh

...Petitioner

Vs.

Shivam Continental Pvt. Ltd.

...Respondent

Under Section: 7, 30, 60(5), 66(1), 19(2), IBC 2016

Order delivered on 15.07.2024

CORAM:

SH. UMESH KUMAR SHUKLA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the RP in IA Nos. 7/2024, 462/2024 :
2683/2023, 762/2024, and respondent in
IA No. 1523/2024

Mr. Pulkit Goyal, Advocate

For the Respondent Nos. 1 & 2 in:
IA No. 1523/2024

Mr. Aalok Jagga, Advocate
Mr. APS Madaan, Advocate

For the Applicant in IA No. 1523/2024:

Mr. Rachit, Advocate

ORDER

IA No. 7/2024

It is stated by Ld. Counsel for the applicant that he wants to file the latest check list and convenience proforma along with affidavit regarding the employee's dues and EPFO dues. Let the same be filed within one week. Let the matter be listed on 05.08.2024.

IA No. 462/2024

The present application has been filed under Section 60(5) of the Code read with 12(3) of IBC, 2016 for the extension of the CIRP period. It is stated by Ld. Counsel for the applicant that the CoC passed the Resolution in its 15th meeting held on 19.01.2024 for an extension of 30 days beyond 330 days with 100% voting share and there is also prayer that the period of pendency of this petition before this Bench be also excluded. Keeping in view the facts and circumstances of the present application and the fact that Resolution Plan has already been approved by the CoC, and pending consideration before us, therefore, in the interest of justice, the present application i.e. IA No. 462/2024 is allowed and extension of 15 days is granted after excluding the period of pendency of this application before this Bench. Thus, ***IA No. 462/2024 is disposed of accordingly.***

IA No. 2683/2023

Reply has been filed by Ld. Counsel for respondent vide Diary No. 03657/2 dated 28.05.2024. The same is under objection as reported by the Registry. Ld. Counsel for the respondent is directed to remove the objections and supply the copy of the same to the opposite counsel during the course of the day. Rejoinder, if any, be filed within one week with a copy in advance to the counsel opposite. Let the matter be listed on 05.08.2024.

IA No. 762/2024

It is stated by Ld. Counsel for the respondent that he has not received the copy of the application. Ld. Counsel for the applicant is directed to supply the copy of the application to the opposite counsel during the course of day. Ld. Counsel for the

respondent is directed to supply the information sought by Ld. Counsel for the RP-applicant within one week in a tabular form. Let the matter be listed on 05.08.2024.

IA No. 1523/2024

It is stated by Ld. Counsel for the Respondent that he has not received the copy of the application. Learned counsel for the applicant is directed to supply the copy of the application to Ld. Counsel for the respondent during the course of day. Let the matter be listed on 05.08.2024.

**Sd/-
(UMESH KUMAR SHUKLA)
MEMBER (T)**

**Sd/-
(HARNAM SINGH THAKUR)
MEMBER (J)**

Preeti