

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No.119
(IB)-296(PB)/2023

IN THE MATTER OF:

Nimble Credit Cooperative Society Ltd. Petitioner/Applicant
Vs.	
Bulland Realtors Private Limited Respondent

Order under Section 7 of Insolvency & Bankruptcy Code, 2016 CIRP

Order delivered on 13.05.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the RP : Ms. Megha Tyagi, Adv.

ORDER

New IA-2328/2024

1. This is an application filed in terms of new Regulation 13(1C) (b) (ii) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 inserted vide an amendment dated 18.09.2023 for seeking following reliefs:-

“a. To condone the delay in submission of claims by the creditors (under Regulation 13(1C) (b) (ii) of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016);

b. Pass such other or further order/order(s) as may be deemed fit and proper in the facts and circumstances of the instant case.”

2. Ld. Counsel Ms. Megha Tyagi appeared through VC on behalf of the Applicant and took us to the contents of this application and referred to Para-9 stating the list of claims which is as follows:

“9. That it is submitted that the Applicant accepted after the issuance of RFRP dated 27.11.2023, the below-mentioned claims and approved the same by the resolution passed in the 11th and 12th COC meeting. The details of the same are mentioned as under:

<u>S.No.</u>	<u>Name of The Claimant</u>	<u>Category</u>	<u>Status</u>	<u>Delay from the date of issuance of RFRP i.e. 27.11.2023</u>
1.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
2.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
3.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
4.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
5.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
6.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
7.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
8.	Vijay Pratap Singh	Home Buyer	Acceptable	39 Days
9.	Anjali Pandey & Navneet Pandey	Home Buyer	Acceptable	53 Days
10.	Vishnu Prasad Upadhyay & Ragini Upadhyay	Home Buyer	Acceptable	56 Days
11.	Vishal Dubey & Saumya Dwivedi	Home Buyer	Acceptable	59 Days
12.	Soni Kumari & Jitesh Kumar Gupta	Home Buyer	Acceptable	60 Days
13.	Madan Lal & Kartik Kashyap	Home Buyer	Acceptable	63 Days

14.	<i>Dashrat Mahto & Nilima Kumari</i>	<i>Home Buyer</i>	<i>Acceptable</i>	<i>63 Days</i>
15.	<i>Seema Negi & Pradeep Rawat</i>	<i>Home Buyer</i>	<i>Acceptable</i>	<i>63 Days</i>
16.	<i>Neerja Singh & Ravi Kumar</i>	<i>Home Buyer</i>	<i>Acceptable</i>	<i>89 Days</i>
17.	<i>Bullyand Buildtech Pvt. Ltd.</i>	<i>Financial Creditor</i>	<i>Acceptable</i>	<i>49 Days</i>
18.	<i>Dy. Commissioner of Income Tax</i>	<i>Operational Creditor</i>	<i>Acceptable</i>	<i>107 Days</i>
19.	<i>GRV Ventures Pvt. Ltd.</i>	<i>Filed as FC in Class of Home Buyer/ Allottee however accepted in the category of Other Creditors</i>	<i>Acceptable</i>	<i>As per the directions of the Hon'ble NCLT, New Delhi, Principal Bench vide order dated 21.02.2024.</i> <i>A copy of the order dated 21.02.2024 is attached herewith as Annexure-A-4</i>
20.	<i>Rakesh Dagar</i>	<i>Home Buyer</i>	<i>Acceptable</i>	<i>2 Days</i>
21.	<i>Mohd. Iqbal</i>	<i>Unsecured Financial Creditor</i>	<i>Acceptable</i>	<i>31 Days</i>

It is further submitted that the Committee of Creditors and list of creditors is subject to amendment/modification/insertion/ deletion as applicable from time to time under respective sections/provisions of IBC 2016 and IBBI (CIRP)

Regulations or as per direction of Hon'ble Adjudicating Authority or on admission of claims under regulation 13 of CIRP Regulations 2016 before approval of Resolution Plan.”

3. She also referred to Paras No. 10, 11 & 12 stating the CoC approval reads as follows:

*“10. That the CoC has approved in the 11th CoC meeting held on 20.03.2024 to include the first 19 claims as mentioned in point 9 of this application, in the list of creditors. A copy of the minutes and addendum of the 11th CoC meeting are annexed herewith and marked as **ANNEXURE A-1 (COLLY)**.*

*11. That the COC has approved in the 12th COC Meeting held on 28.03.2024 to include one more claim no. 20 as mentioned in point 9 of this application in the list of creditors. A copy of the minutes and addendum of the 12th CoC meeting are annexed herewith and marked as **ANNEXURE A-2 (COLLY)**.*

*12. That the COC has approved in the 14th COC Meeting held on 29.04.2024 to include one more claim no. 21 as mentioned in point 9 of this application in the list of creditors. A copy of the minutes and addendum of the 14th CoC meeting are annexed herewith and marked as **ANNEXURE A-3 (COLLY)**.”*

4. In view of the above, the delay in submission of claims by the creditors as stated in para-9 of the applications extracted above is condoned.

5. Accordingly, the New IA-2328/2024 stands allowed in above terms and is disposed of.

**Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT**

**Sd/-
(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)**

Vinod Arora – 13.05.2024