

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 09
(IB)-1481(PB)/2019

IN THE MATTER OF:

Sh. Satyajeeet Panda & anr.	...	Applicant/Petitioner
Vs		
M/s. ANS Apartments Pvt Ltd.	...	Respondent

Order under Section 7 of the Insolvency & Bankruptcy Code, 2016(CIRP).

Order delivered on 08.07.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

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

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For RP/Applicant	:	Mr. Mohit Nandwani, Adv. Mr. Ram Phal Bhardwaj RP
For the CoC	:	Mr. Yudhveer Singh Rawal, For the CoC
For GNIDA	:	Mr. U. N. Singh, Adv.
For the SRA	:	Mr. G. P. Madaan, Advocate

ORDER

New IA-3377/2024

This is an application filed for seeking condonation of delay in the submission of claims, the relief sought is as follows:

- “A. Allow the present application;*
- B. Condone the delay in submission of claims mentioned in Para 19 of this Application;*
- C. Pass such further order/ order(s) as may be deemed fit and proper in the facts and circumstances of the case.”*

Ld. Counsel Mr. Mohit Nandwani for the Applicant appeared and drew our attention to the CIRP Regulation, 2016 more particularly Regulation 13(1B) and (1C) of the CIRP Regulations, 2016, which reads as follows.

“13. Verification of claims.

(1B) In the event that claims are received after the period specified under sub-regulation (1) of regulation 12 and up to seven days before the date of meeting of creditors for voting on the resolution plan or the initiation of liquidation, as the case may be, the interim resolution

professional or resolution professional, as the case may be, shall verify all such claims and categorise them as acceptable or non-acceptable for collation.

(1C) *The interim resolution professional or resolution professional, as the case may be, shall:-*

(a) intimate the creditor within seven days of categorisation thereof under sub-regulation (1B) and provide reasons where such claim has been categorised as non-acceptable for collation; and

(b) put up the claims categorised as acceptable under sub-regulation (1B) and collated by him to:-

(i) the committee in its next meeting for its recommendation for inclusion in the list of creditors and its treatment in the resolution plan, if any; and

(ii) submit such claims before the Adjudicating Authority for condonation of delay and adjudication wherever applicable.]

It is stated that though there is considerable delay in filing of the claim since the first public announcement was made, since the Resolution Plan has been sent back to the CoC for consideration so technically the matter is covered under Regulation 13(1B) of the CIRP Regulations, 2016.

The Successful Resolution Applicant also confirms this legal position.

Accordingly, the delay in the submission of claims is condoned. The RP is directed to consider the claims of these four allottees forthwith.

IA-3377/2024 is **allowed and stands disposed of**

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**(RAMALINGAM SUDHAKAR)
PRESIDENT**

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**(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)**