

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

Item No.-105
IB-2728/ND/2018
New IA/1296/2021

IN THE MATTER OF:

Om Logistics Ltd
V/s
Servel India Pvt Ltd

....Applicant

...Respondent

SECTION

U/s 9 IBC

Order delivered on 23.03.2021

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : CS Suraj Sharma
For the Respondent :

ORDER

IA/1296/2021:-

By filing this application, the applicant/RP has prayed for exclusion of 60 days while calculating the total period of the CIRP.

Heard the Ld. Counsel appearing for applicant and perused the averment made in the application.

The learned counsel for the RP submitted that the CoC in its meeting dated 26.02.2021, resolved to extend the period of CIRP by another 60 days and the RP was authorized to take necessary action as required under the IBC. The said resolution was approved by more than 66% of the voting share which is at page 89 of the paper-book. He further submitted that although in the prayer

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portion, he made prayer for exclusion, but in fact, the resolution is for extension of the 60 days. Learned counsel for the petitioner also submitted that two Resolution Plans have been received which is under consideration. Considering the submissions, we notice that the CIRP was initiated on 08.06.2020 and as submitted by the Ld. Counsel for the RP the period of 270 days has already been expired on 05.03.2021 and two Resolution Plans are pending for considerations. Since the CoC has approved the extension of 60 days by more than 66% of the voting share, which is at page 89 of the paper book. Therefore, we hereby allowed the further extension of 60 days beyond the period of 270 days commencing from 06.03.2021. ***Accordingly, the prayer of the Resolution Professional to extend the period of further 60 days beyond the period of 270 days is hereby allowed*** while calculating the total period of CIRP and that shall be commenced after the expiry of 270 days.

With this order, the present application i.e. IA/1296/2021 stands disposed of.

Sd/-

(K.K. VOHRA)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)