

SPECIAL BENCH

P-107

COURT - I

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/1411(KB)2018
IA(IBC)(LIQ.)/17(KB)2024,
IA(I.B.C)/1213(KB)2024,
IA(I.B.C)/1360(KB)2023

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI D. ARVIND**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 19TH JULY 2024

IN THE MATTER OF	BANK OF BRODA VS ABHIJEET TOLL KARNATAKA LTD
UNDER SECTION	IBC UNDER SEC 7

Appearances (via video conferencing/physically)

Mr. Debasish Chakrabarti, Adv.] For the Bank of India in IA 1360/2023
Mr. Snehasish Chakrabarti, Adv.]

Mr. Abhidipto Tarafdar, Adv.] For the RP in IA 1360/2023
Ms. Muskaan Bangani, Adv.]

Mr. R.R.Modi, Adv.] For RP in IA 17/2024 & IA 1213/2024

Ms. Niharika Singh, Adv.] In IA 1360/2023
Ms. Rupal Singh, Adv.]
Mr. Ashok Kr. Singh, Adv.]

O R D E R

1. Ld.Counsel for the parties present.
2. **IA(IBC)(LIQ.)/17(KB)2024-** Heard. **Reserved for orders.**
3. **IA(I.B.C)/1360(KB)2023-**
 - i. It is submitted by the Ld.Counsel for the Bank that he has already made payment of Rs.8,33,423/- towards the CIRP Cost for the period of May, 2022 to September, 2023.
 - ii. Registry is directed to issue 'Notice' to the other respondents by speed post and email and place tracing information on record to indicate that the payment has been made towards the CIRP Cost.

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iii. Post the matter on **28/08/2023**.

4. IA(I.B.C)/1213(KB)2024-

- i. This is an application filed by the RP under section 60(5) of the Insolvency and Bankruptcy Code, 2016 and Rule 11 of the NCLT Rules, 2016 praying for exclusion 566 days between 27.09.2022 till 15.04.2024 from the CIRP of the Corporate Debtor and further period from 15/04/2024 till the time the present application is allowed.
- ii. This application is duly supported by an affidavit of RP at page 21.
- iii. The reason for exclusion is mentioned at page 17, paras 13 to 15 of the application.
- iv. We have perused the application and the documents attached therewith and heard the Ld. Counsel for the RP. We are satisfied that the prayer made in the IA should be allowed. Therefore, the period between 27.09.2022 till 15.04.2024 from the CIRP of the Corporate Debtor is allowed and further period from 15/04/2024 till the order passed by this Tribunal.
- v. Accordingly, this IA is allowed and disposed of.

D. ARVIND
Member (Technical)

BIDISHA BANERJEE
Member (Judicial)