

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

102. IA/3379/2024 IN C.P. (IB)/380(MB)2021

IN THE MATTER OF

SBICAP Trustee Company Limited

VS

Radius Estate Projects Private Limited

Section 7 of the Insolvency and Bankruptcy Code, 2016

Order Delivered on 02.07.2024

CORAM:

MS. REETA KOHLI
MEMBER (J)

MS. MADHU SINHA
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Applicant: Adv. Yash Jariwala (PH)

For the Respondent:

ORDER

I.A. 3379/2024

The prayer in the present application is for condoning the delay of 843 days in filing the claim by Indiabulls Housing Finance Limited. The Ld. Counsel for the applicant states that pursuant to the Admission Order passed by this Hon'ble Tribunal, the applicant issued a public announcement inviting claims of the creditors of the corporate debtor highlighting the last date for submission of claims as 27th September, 2021. Accordingly, there is a delay of 843 days in filing claim by the respondent no. 1. However, considering that on account of the stay granted by Hon'ble National Company Law Appellate Tribunal and the pendency of application under section 12A, the applicant was unable to proceed with the

CIRP of the corporate debtor and the exclusion of 465 days was granted by this Hon'ble Tribunal vide its order dated 17th February, 2023, upon excluding 465 days from the said calculation, the delay in filing claim by the respondent no. 1 remains of 378 days only.

After hearing the submissions of the Ld. Counsel for the applicant and perusing the record, we deem it appropriate to condone the delay for considering the claims. Let the applicant collate the claims of Indiabulls Housing Finance Limited. **I.A. disposed of.**

Sd/-
MADHU SINHA
Member (Technical)
Shubham

Sd/-
REETA KOHLI
Member (Judicial)