

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH
COURT-IV

5. IA 3120(MB)2024
IN
C.P. (IB)/860(MB)2023

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **18.06.2024**

Name of the Party: Nimbus Packaging LLP
Vs
Supermax Personal Care Private
Limited

Section 9, 60(5) of Insolvency and Bankruptcy Code, 2016

ORDER

1. Adv. Vishal Pattabiraman i/b Adv. Ashok Verma for the Applicant present through physical mode.
2. Adv. Rohit Gupta i/b Adv. Ajinkya Kundukar for the Respondent/ Resolution Professional present through physical mode.

IA-3120(MB)2024

3. This is an Application filed u/s 60(5) by the Applicant seeking an appropriate direction from this Bench against the Respondent/ Resolution Professional with respect to the Corporate Debtor. The prayer is sought by the Applicant is as under :-
 - i. *This Hon'ble Tribunal be pleased to direct the Respondent No. 1 to accept the request of the Applicant by permitting the Applicant to participate in CIRP process of the Corporate Debtor;*
 - ii. *This Hon'ble Tribunal be pleased to direct the Respondent No. 1 to modify the Form G published on 11th March, 2024 by mentioning the order dated 6th February, 2024 of the Hon'ble NCLAT;*
 - iii. *Pending the hearing and final disposal of the present Application the Respondent No. 1 be directed to furnish details of eligibility for*

resolution applicants as per Section 25(2)(h) of the IBC to the Applicant;

4. Ld. Counsel for the Applicant submits that the Form-G was published on 11th March, 2024 wherein it was specifically mentioned that the last date for submission of EoI is 26.03.2024.
5. Ld. Counsel for the Respondent submits that the Applicant sent an email on 26.03.2024 at 22.43 P.M. to the Resolution Professional requesting to extend the timeline for submission of EoIs by 7 days.
6. This Bench takes note of the fact that the Form-G clearly indicated the last date for submission and hence, any delay in submitting the EoI is not within the realm of the Bench to condone. We are therefore, not inclined to interfere in the matter.
7. In view afore-stated, the present Application i.e. IA-3120/2024 is **dismissed**.

Sd/-

ANU JAGMOHAN SINGH
Member (Technical)

/Dubey/

Sd/-

KISHORE VEMULAPALLI
Member (Judicial)