

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

2.

**IA-3145(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 **19.06.2024**

NAME OF THE PARTIES:

Nimbus Packaging Llp
Vs.

Supermax Personal Care Private Limited

SECTION: 9, 60(5) OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016.

ORDER

IA-3145(MB)2024

1. Ms. Rohini Menon, Ld. Counsel for the Applicant present. Mr. Ajinkya Kurdukar, Ld. Counsel for the Respondent/Resolution Professional present.
2. This is an Application filed by the Applicant u/s 60(5) of the Code 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 :-
 - a. *“This Hon’ble Tribunal be pleased and kind to direct the Respondent to accept the request of the Applicant by permitting the Applicant to participate in CIRP process of the Corporate Debtor;*
 - b. *This Hon’ble Tribunal be pleased to order and extend the filing of expression of Interest by the Applicant with the Respondent. Further, be pleased to order and direct the Respondent to provide all the requisite details and information to the Applicant and thereafter further, be pleased to extend the filing and submission of Resolution Plan thereof;*
 - c. *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;*
 - d. *Any other order which this Hon’ble Tribunal may deem fit in the facts and circumstances of the present case.”*

3. 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.
4. Ld. Counsel for the Respondent submits that the Applicant sent an email on 26.03.2024 at around 11 P.M. to the Resolution Professional requesting to extend the timeline for submission of EoIs by one week.
5. 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.
6. In view afore-stated, the present Application i.e. IA-3145/2024 is **dismissed**.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)