

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH

ITEM No.12
I.A No. 44 of 2023 in
CP (IB) No. 02/BB/2020

IN THE MATTER OF:

M/s. Shree Ratna Farm Products	...	Petitioner
Vs.		
M/s. Mylari Agro Products Ltd	...	Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 01.02.2023

CORAM:

JUSTICE (RETD.) T. KRISHNAVALLI
HON'BLE MEMBER (JUDICIAL)

SH. MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP	: Ms. Aishwarya Prasad
For the Applicant in I.A No. 44/2023	: Sh. Naman Jhabakh

ORDER

I.A No. 44 of 2023

1. This Application has been filed by M/s. Shree Parshwanath Cashew Industries Pvt Ltd against the RP of M/s. Maylari Agro Products Ltd U/s. 60(5) of the IBC, 2016, R/w. Rule 7 of IB (Application to Adjudicating Authority) Rules, 2016, R/w. Section 151 of the Code of Civil Procedure, 1908, R/w. Rule 11 of the NCLT Rules seeking to condone the delay of 170 days approximately from 14.09.2021 to 29.02.2022; and to direct the RP to consider the claims of the Applicant.
2. Heard Mr. Naman Jhabakh, learned Counsel for the Applicant and Ms. Aishwarya Prasad, learned Counsel for the RP.
3. When the matter is taken up for hearing, it is noticed that the I.A No. 162 of 2022 in the instant C.P. seeking for approval of Resolution Plan was order reserved by this Adjudicating Authority vide Order dated 22.12.2022 and hence it is found that the instant I.A is filed belatedly.
4. In the circumstances and in view of the above, the instant I.A is dismissed as infructuous.
5. Accordingly, **I.A No. 44 of 2023** is dismissed as infructuous.

Sd/-
(MANOJ KUMAR DUBEY)
MEMBER (TECHNICAL)

Brunda

Sd/-
(T.KRISHNAVALLI)
MEMBER (JUDICIAL)