

NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH

CORAM: SHRI SHYAM BABU GAUTAM HON'BLE MEMBER (TECHNICAL) TMT. T.KRISHNA VALLI HON'BLE MEMBER (JUDICIAL)

PETITION No./IA No.	IA(IBC)/258/KOB/2024 in TIBA/19/KOB/2019
SECTION	SEC 60(5) IBC R/W RULE 11 NCLT
NAME OF PARTIES	THE REGIONAL PROVIDENT FUND COMMISSIONER - II (LEGAL) V/S JASIN JOSE (LIQUIDATOR) OF M/S ATLAS GOLD TOWNSHIPS (INDIA) PVT LTD
PETITIONERS ADVOCATE/ PROFESSIONAL	SAJEEV KUMAR K GOPAL, ASWATHY BABU
RESPONDENTS ADVOCATE/ PROFESSIONAL	

28 JUNE 2024

ORDER

IA(IBC)/258/KOB/2024 in TIBA/19/KOB/2019

This is an IA bearing No. 258/KOB/2024 filed by the Regional Provident Fund Commissioner-II (Legal) (Applicant herein), under Section 60(5) of IBC, 2016 read with Rule 11 of the NCLT Rules, 2016 seeking condonation of delay of 953 days in submitting the claim before the Liquidator. In the said application, the Applicant has arrayed the Liquidator, Viz., Mr. Jasin Jose as the respondent party.

Learned Counsel, Mr. Sajeev Kumar K Gopal appears virtually on behalf of the Applicant. Learned Counsel, Mr. Akhil Suresh appears virtually on behalf of the Liquidator.

This bench is of the considered opinion that the delay is inordinate, which is not explained on a day-to-day basis. Hence, the relief prayed for cannot be granted. Accordingly the present IA(IBC)/258/KOB/2024 is **dismissed**.

Sd /-

SHYAM BABU GAUTAM
MEMBER (TECHNICAL)

Sd /-

T. KRISHNA VALLI
MEMBER (JUDICIAL)