

**THE NATIONAL COMPANY LAW TRIBUNAL  
CHANDIGARH BENCH, CHANDIGARH  
(through web-based video conferencing platform)**

**Item No. 26**

**IA Nos. 784/2020, 785/2020,  
786/2020, 1314/2022, 1315/2022 &  
158/2022**

**In**

**CP (IB) No. 93/Chd/Hry/2018  
(Admitted Matter)**

**Under Sections 43(5), 54(1), 66  
read with Section 69 of the  
Insolvency and Bankruptcy Code,  
2016 read with Regulation 44,  
45(3)(b) and 47A of the IBBI  
(Liquidation Process) Regulations,  
2016 and Rule 11 of NCLT Rules,  
2016 under Sections 5 & 14 of the  
Limitation Act, 1973**

**In the matter of:-**

Paper Creations

...Operational Creditor

Vs.

Jai Laxmi Lighting  
Industries Pvt. Ltd.

...Corporate Debtor

**Present through Video Conferencing:**

Mr. Harsh Garg and Mr. Pulkit Goyal, Advocates for the applicant in CA No. 158/2022, 1314/2022, 1315/2015 & 1316/2022 and for respondent in IA Nos. 784/2020, 785/2020 & 786/2020.

Mr. Piyush Bansal, Advocate for applicant-Excise and Taxation Department in IA Nos. 784/2020, 785/2020 & 786/2020.

Mr. Harveet Singh Sehgal for respondent No. 7 in IA Nos. 1314/2022 & 1315/2022.

Mr. Puru Gupta, Advocate, proxy counsel for Mr. Ritek Khatri for respondent Nos. 1, 2, 3, 4, 6, 14 & 16 in IA Nos. 1314/2022 & 1315/2022.

None for the remaining respondents in IA Nos. 1314/2022 & 1315/2022.

**IA No. 158/2022**

Convenience proforma for dissolution has been filed by applicant vide Diary No. 00342/1 dated 17.10.2022. The same is taken on record. A date is requested by learned counsel for the applicant-Liquidator for complying the last order dated 13.10.2022. Learned counsel for the applicant is directed to file an affidavit with regard to PUFEE transactions within two weeks. The matter be listed on 25.01.2023.

**IA Nos. 785/2020 & 786/2020**

2. Reply has been filed by learned counsel for the respondent-Liquidator in IA No. 786/2020 vide Diary No. 01319/1 dated 17.10.2022. The same is taken on record. It is stated by learned counsel for the respondent-Liquidator that the same reply be also read in IA Nos. 784/2020 & 785/2020.

3. These applications are taken up together being linked. IA No. 785/2020 has been filed under Rule 11 of NCLT Rules, 2016 by the Excise and Taxation Department seeking relief of staying the operation of impugned decision of Official Liquidator communicated to the applicant on 26.09.2019. It is stated by Mr. Pulkit Goyal, learned counsel for respondent-Liquidator that the present application has rendered infructuous because already the proceeds have been distributed, so IA No. 785/2020 is rendered infructuous and disposed of accordingly.

4. IA No. 786/2020 has been filed by the applicant-Excise and Taxation Department against the decision of the Official Liquidator rejecting the claim of the operational creditor on the ground of delay of 38 days. Keeping in

view of the judgment titled-***State Tax Officer (1) Vs. Rainbow Papers Limited in Civil Appeal No. 1661 of 2020 with Civil Appeal No.2568 of 2020 order dated 06.09.2022 case Citation: (2022) ibclaw.in 107 SC***, passed by the Hon'ble Supreme Court, IA No. 786/2020 is allowed and delay of 38 days is condoned and Liquidator is directed to reconsider the same within 30 days in accordance with law. IA No. 786/2020 is disposed of accordingly.

**IA No. 784/2020**

8. This application has been filed under Section 5 read with Section 14 of Limitation Act, 1973 read with Rule 11 of NCLT Rules, 2016 for condonation of delay of 166 in filing the present appeal under Section 42 of the I&B Code, 2016. The application is supported by an affidavit. Heard. Keeping in view the facts and circumstances mentioned in the application and in the interest of justice, IA No. 784/2020 is allowed and delay of 166 days in filing the appeal under Section 42 of the I&B Code, 2016 is condoned. IA No. 784/2020 is disposed of accordingly.

**IA No. 1314/2022 & 1315/2022**

5. A date is requested by learned counsel for respondent Nos. 1, 2, 3, 4, 6, 7, 14 & 16 for filing the reply. Reply be filed within three weeks with a copy in advance to the counsel opposite and rejoinder thereto, if any, be filed one week thereafter with a copy in advance to the counsel opposite.

6. Despite giving the opportunity for filing the reply, neither reply filed by remaining respondents nor they appeared in person or through his counsel. It seems that remaining respondents are not interested in contesting the present applications. Hence, remaining respondents are proceeded against ex parte.

7. The matter be listed on 25.01.2023.

Sd/-

(K.K. Singh)  
Member (Technical)

Sd/-

(Harnam Singh Thakur)  
Member (Judicial)

December 05, 2022  
YP