

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-104
(IB)-771(PB)/2018
New IA/2590/2023

IN THE MATTER OF:

Capri Global Capital Ltd

....Applicant

Vs.

Value Infratech India Pvt. Ltd.

.....Respondent

SECTION

U/s 7 IBC CIRP

Order delivered on 11.05.2023

CORAM:

**SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)**

**DR. BINOD KUMAR SINHA,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant :
For the Respondent :
For the RP : Mr. Rishabh Jain

ORDER

New IA/2590/2023:-

This is an application filed by the Resolution Professional under Rule 11 of NCLT Rules, 2016 for excluding 1056 days from the calculation of CIRP period, on account of pending litigation as well as change of authorised representative. Details of the period exhausted in the litigation proceeding are mentioned in Para 25 at Page 10 of the application.

Heard the submissions made by Ld. Counsel for the Resolution Professional and perused the papers made available. It also appears from record that Hon'ble NCLAT vide their order dated 29.11.2021 has asked the Petitioner to approach this Adjudicating Authority for exclusion of period consumed during the litigation process. Taking into account all the facts and circumstances of the case, the period of 1056 days [i.e. 802 days from

12.03.2022 to 23.05.2022) + 254 days (from 02.07.2022 to 13.03.2023)] is excluded for the computation of the CIRP period in terms of Section 12 of IBC, 2016. The RP is directed to complete the process within the time prescribed under law.

With these directions, the present IA stands **allowed and disposed off**.

Sd/-

**(DR. BINOD KUMAR SINHA)
MEMBER (T)**

Sd/-

**(MAHENDRA KHANDELWAL)
MEMBER (J)**