

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-III**

**Item No. 103**

New IA-2/2024

In

IB-1348(ND)/2019

**IN THE MATTER OF:**

M/s. Nisus Finance & Investment  
Managers LLP & Anr.

**.... APPLICANT/PETITIONER**

**Vs.**

M/s. Earthcon Universal Infratech Pvt. Ltd.

**....RESPONDENT**

**U/s 7 of IBC, 2016**

**Order delivered on 02.01.2024**

**CORAM:**

**SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)**

**SHRI ATUL CHATURVEDI HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant :

For the Respondent :

**ORDER**

**New IA-2/2024:-**

This application has been filed seeking the following prayers.

- I. *“Allow this application and direct the Respondents to admit the claim of the Applicants in the Corporate Insolvency Resolution Process of the Corporate Debtor.*
- II. *Direct the Respondent to update the list of Creditors in the Corporate Insolvency Resolution Process of the Corporate Debtor.*

*III. Allow this application filed under Section 60(5) of IBC by the Applicant seeking condonation of delay of 1331 days in filing claim before the RP.*

*IV. Allow the cost of the Application.”*

No one has appeared on behalf of the Applicant in the first call and also after the matter was passed over. None appeared on behalf of the Applicant, even on the second call.

We have perused the application. The Applicant seeks condonation of delay of 1331 in filing claim before the RP. We do not find any reason to condone said delay. The application is therefore **dismissed for non-prosecution** as well as on **merits**.

**-Sd-**  
**(ATUL CHATURVEDI)**  
**MEMBER (TECHNICAL)**

Prakash Dubey

**-Sd-**  
**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**