

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

**Item No. 102**  
New IA-1422/2024  
In  
IB-1482(ND)/2019

**IN THE MATTER OF:**

Mr. Mekaster Finlase Ltd.

**.....APPLICANT/PETITIONER**

**Vs**

M/s. Saha Buildestates Pvt. Ltd.

**.....RESPONDENT**

**SECTION**

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

**Order delivered on 21.03.2024**

**CORAM:**

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

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

**PRESENT:**

For the RP : Mr. P. Nagesh, Sr. Adv. A/w Abhishek Parmar,  
Mr. Akshay Sharma, Advs., Mr. Devendra Umrao,  
RP in person

**ORDER**

**New IA-1422/2024:-**

This application has been filed by the Resolution Professional seeking the following prayers:-

- *Recall the order dated 20.02.2024 to the effect that Resolution Plan has been approved in its 9<sup>th</sup> meeting of creditors held on 12.02.2024 and expunging the remarks passed against the applicant in filing the IA-746/2024.*

Mr. P. Nagesh, Learned Senior Counsel appearing for the Resolution Professional has submitted that the CoC in its 9<sup>th</sup> meeting approved the Resolution Plan with 100% votes which was held on 12.02.2024. However, inadvertently in the order dated 20.02.2024, the date of 9<sup>th</sup> CoC meeting has been mentioned as 18.12.2023 based on the submissions made by the Learned Counsel who appeared on behalf of the Resolution Professional.

Having regard to the facts and circumstances of the case, we modify the order dated 20.02.2024 and change the date from 18.12.2023 to 12.02.2024.

Mr. Nagesh, Learned Senior Counsel has also prayed that the remarks made in the order dated 20.02.2024 be expunged. The relevant paragraph of the said order is as follows: -

*“It is seen from the records that the present application has been filed on 09.01.2024, one day before expiry of the CIRP period of the 330 days. The RP could have taken appropriate steps and filed the present application well in advance; keeping in view the fact that the CIRP period of 330 days is going to be expired. However, Ld. Counsel for the Resolution Professional has prayed for extension of 50 days instead of 45 days as prayed for in the application in Prayer “A” so as to enable the RP to complete all the formality and file an application seeking approval of the Resolution Plan.”*

Mr. Nagesh, has submitted that the Resolution Professional is present in the Court physically and tenders unconditional apology for the lapse. The Resolution Professional who is present in the Court has also tendered unconditional apology. We take the unconditional apology tendered by the Resolution Professional on record and direct that the observations made in Para 3 of the order dated 20.02.2024 be deleted. However, we direct Mr. Devendra Umrao, RP in person to file an affidavit tendering unconditional apology within one week.

We direct that the order dated 20.02.2024 is modified in the above terms, the order passed today be read as part of the order dated 20.02.2024.

**IA disposed of.**

Sd/-

**(ATUL CHATURVEDI)  
MEMBER (TECHNICAL)**

Sd/-

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