

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-511

IB-2083/ND/2019

New Intervention Petition/20/2024, New Intervention Petition/21/2024,
IA/687/2021, IA/1307/2022, IA/3085/2022, IA/3639/2022, IA/4381/2022,
IA/4511/2023, Intervention Petition/8/2024, Intervention Petition/9/2024

IN THE MATTER OF:

M/s. Modern Credit Pvt. Ltd.

.....Applicant

Vs.

M/s. KPG International Pvt. Ltd.

.....Respondent

SECTION

U/s 7 IBC CIRP

Order delivered on 29.04.2024

CORAM:

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

**Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)**

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Mr. Kanwal Chaudhary, Adv. in IA/3085/2022
Mr. Dhruv Gupta, Adv. in IA/4511/2023
Ms. Dacchita Shahi, Mr. Bhanu Gupta in Intervention
Petition/8/2024 & Intervention Petition/9/2024
Ms. Akshaya Agarwal , Adv. in New Intervention
Petition/20/2024 & New Intervention
Petition/21/2024

For the Respondent :

For the RP : Mr. Sunil Kumar Agarwal, RP with Mr. Manoj Kr. Garg,
Mr. Kundan Roy, Advs.

ORDER

**New Intervention Petition/20/2024, New Intervention Petition/21/2024,
Intervention Petition/8/2024 & Intervention Petition/9/2024:-**

These are the applications filed under Section 60(5) of IBC, 2016 read with Rule 11 of NCLT Rules, 2016 allegedly by the workmen of the Corporate

Debtor seeking direction to the Resolution Professional to admit their claim for wages. Heard the submissions made by Ld. Counsels on behalf of the Applicant who submitted that claim was filed before the Resolution Professional through the email. Heard the submission made by Ld. Counsel on behalf of the Resolution Professional. Ld. Counsel on behalf of the Resolution Professional submitted that the resolution plan has already been approved by the CoC and the matter is pending for approval of the plan by the Adjudicating Authority. Admittedly the claim was filed by the Applicant beyond the stipulated period. However, keeping in view of the fact that the claim is filed by the workmen, we condone the delay in filing the claim by the Applicant before the Resolution Professional and the Resolution Professional is directed to examine the claim filed by the Applicant and take appropriate decision as per the law. With these observations, all these applications i.e. New Intervention Petition/20/2024, New Intervention Petition/21/2024, Intervention Petition/8/2024 & Intervention Petition/9/2024 are **disposed off**.

**IA/687/2021, IA/1307/2022, IA/3085/2022, IA/3639/2022,
IA/4381/2022 & IA/4511/2023:-**

List all these applications on **06.06.2024**.

**Sd/-
(Dr. SANJEEV RANJAN)
MEMBER (T)**

**Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)**