

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/1712(KB)2019  
IA(I.B.C)/1686(KB)2023,  
IA(I.B.C)/1141(KB)2022,  
IA(I.B.C)/690(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE  
2. HON'BLE MEMBER(T), SHRI D. ARVIND**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 09<sup>TH</sup> APRIL 2024**

IN THE MATTER OF	<b>IDBI BANK LIMITED VS DUTTA AGRO MILLS PRIVATE LIMITED</b>
UNDER SECTION	<b>IBC UNDER SEC 7</b>

**Appearance (via video conferencing/physically)**

Mr. Shaunak Mitra, Adv. ] For the Resolution Professional  
Mr. Siddhanth Makkar, Adv. ]

Ms. Meenakshi Manot, Adv. ] For W.B.I.D.C.L.  
Mr. Saubhik Chowdhury, Adv. ]  
Mr. Tanishq Pathak, Adv. ]

Mr. Nimish Mishra, Adv. ] For Suspended Board  
Mr. Debjit Mukherjee, Adv. ]  
Mr. Abir Mondal, Adv. ]

**ORDER**

1. Learned Counsel for the parties present.
2. **IA(I.B.C)/690(KB)2024**
  - a. This application has been preferred by the Resolution Professional (the applicant herein) seeking exclusion of the CIRP timeline of the Corporate Debtor for a period beyond 180 days which is expiring on 16.04.2024.
  - b. This application has been preferred by the Resolution Professional of Dutta Agro Mills Private Limited under Section 60(5)(c) of the Insolvency and Bankruptcy Code, 2016 read with Rule 11 of NCLT Rules, 2016 seeking

exclusion of the entire CIRP period of the Corporate Debtor which is expiring on 16.04.2024 so long the appeal, that have been preferred against the order dated 31.10.2022, not decided by the Hon'ble National Company Law Appellate Tribunal.

- c. The reasons for exclusion of CIRP timeline seeking by the Resolution Professional is mentioned in paras 2, 11 and 12 of this application.
- d. This application is accompanied by an affidavit of Resolution Professional at page 24.
- e. We have perused the application and the documents attached therewith and heard the learned Counsel for the Resolution Professional.
- f. On being satisfied, we grant exclusion of the entire CIRP period.
- g. Hence, the **IA(I.B.C)/690(KB)2024** is allowed and is accordingly disposed of.

### 3. **IA(I.B.C)/1686(KB)2023**

- a. Ld. Counsel Ms. Meenakshi Manot appearing for the West Bengal Industrial Development Corporation Limited ('WBIDCL' for short) submits that her client has already contributed the CIRP costs proportionately which is to the tune of Rs.11,28,253/-.
- b. Ld. Counsel also undertakes on behalf of her client to contribute towards CIRP.
- c. Since the I.A. has served its purpose, the I.A. is **dismissed as infructuous**.

### 4. **IA(I.B.C)/1141(KB)2022**

- a. Mr. Ramdas Dutta, the erstwhile Director of Dutta Agro Mills Private Limited is present in person.
- b. Personal appearance of the Director Mr. Ramdas Dutta is dispensed with for the present.
- c. The Resolution Professional is directed to find out from the records who the Auditor was and seek his personal appearance before this Adjudicating Authority on the next date of hearing.
- d. Ld. Counsel for the Resolution Professional has to make submissions.
- e. Therefore, list this matter for arguments on **21.05.2024**.

**D. Arvind**  
**Member (Technical)**

**Bidisha Banerjee**  
**Member (Judicial)**