

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL
COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 02-04-2024 AT
10.30 A.M. THROUGH VIDEO CONFERENCING:**

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

IN THE MATTER OF : M/s. Jain Granites & Projects India Ltd
PETITION NUMBER : CP(IB)/618(CHE)/2017
APPLICATION NUMBER : a) IA(IBC)/1634(CHE)/2023
b) IA(IBC)/738(CHE)/2022

ORDER

Ld. Counsel Mr. G. Dinesh Kumar for the Applicant. Ld. Counsel Mr. Gajendran Ravi for the Liquidator.

In this case the Liquidator has rejected the claim of Rs.32 Crore vide email dated 12.01.2021 by way of a cryptic order stating that “Your claim of Rs.32 Crore lodged by you but not accepted by me”. No reason has been assigned.

The Applicant sought condonation of delay of 274 days for filing the IA challenging the rejection of claim. The Respondent in the reply dated 09.02.2023 stated that the Liquidation was ordered on 01.11.2018, the reassessment order was passed on 31.12.2018 and the claim was filed on 13.08.2020.

The Respondent stated that the claim was not allowed as the same was not crystallised on the liquidation commencement date in view of the decision of ESIC VS Krishnaa Energy. The present case the Applicant stated that the claim could not be filed as there was intervening Covid Pandemic and as well as

there were administrative delays. Also the Respondent stated that there are no other claims before the Liquidator.

Considering the facts and circumstances of the Applicant, the delay is condoned and Liquidator is directed to consider the claim afresh and pass a speaking order within 30 days.

Both IA(IBC)/1634(CHE)2023 and IA(IBC)/738(CHE)2022 are disposed off as allowed.

-Sd-

RAVICHANDRAN RAMASAMY
Member (Technical)

phk

-Sd-

JYOTI KUMAR TRIPATHI
Member (Judicial)