

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**PRINCIPAL BENCH**

**ITEM No. 06**  
**(IB)-338(PB)/2018**

**IN THE MATTER OF:**

Mr. Kamal Gulati ..... Petitioners/Applicant  
v.  
IDV Technology Solutions Pvt. Ltd. .... Respondents

**Under Section 7 of Insolvency and Bankruptcy Code, 2016 (CIRP)**

**Order delivered on 02.09.2019**

**Coram:**

**CHIEF JUSTICE (RTD.) M. M. KUMAR**  
**HON'BLE PRESIDENT**

**SH. S. K. MOHAPATRA**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the RP ..... Mr. Abhishek Anand & Mr. Dheeraj Kumar, Advs.  
For the Respondent

**ORDER**

**CA-1678(PB)/2019**

This is an application filed under Section 12 with a prayer for excluding the period for further 124 days consumed in pursuing CA-645(PB)/2019 filed under Section 19 of the Insolvency & Bankruptcy Code, 2016. The application filed on 05.04.2019 was disposed of on 21.08.2019. It is appropriate to mention that even the CoC is not constituted in this matter on account of non-filing of any claim either by the financial creditor or by the operational creditors or anyone else. As a result, there are no minutes of the CoC supporting the prayer and IRP has come up with this application on the completion of 180<sup>th</sup> day which expired on 14.08.2019.

At the time of hearing Mr. Anand, Ld. Counsel for the Interim Resolution Professional has confined the exclusion to 60 days



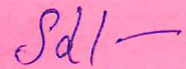
because as per the amendment notified on 16.08.2019 the maximum period inferable for litigation is 60 days beyond maximum period of Corporate Insolvency Resolution Process period of 270 days.

Having heard the Ld. Counsel we are of the view that the interest of the Insolvency & Bankruptcy process would be served by accepting the prayer for exclusion of 60 days although the prayer is made for 124 days. Accordingly, application is allowed and the period beyond 180 days w.e.f 14.08.2019 shall stand extended by 60 days.

CA-1678(PB)/2019 stands disposed of.



**(M.M.KUMAR)**  
**PRESIDENT**



**(S. K. MOHAPATRA)**  
**MEMBER (TECHNICAL)**