

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 553 of 2021

IN THE MATTER OF:

Manish Kumar Gupta

(Resolution Professional

for three C Projects Pvt. Ltd.)

404, 4th Floor, Laxmideep Building

9 Laxmi Nagar, New Delhi – 110092.

...Appellant.

Present:

**For Appellant: Mr. Manish Singh Negi and Mr. Pulkit Srivastava,
Advocates.**

O R D E R
(Virtual Mode)

05.08.2021 Heard Learned Counsel for the Appellant and perused the record. The Appellant aggrieved by the order dated 01.06.2021 passed by the Ld. Adjudicating Authority, National Company Law Tribunal, New Delhi in I.A. No. 3421 of 2020 in CP (IB) No. 1718 / (PB)/ 2018 whereby the Ld. Adjudicating Authority have granted exclusion of the period of lockdown of 83 days i.e. from 18.03.2020 to 07.07.2020, from CIR process.

2. Learned Counsel for the Appellant submits that he is aggrieved by the facts that the time period of 101 days i.e. from 25.05.2020 to 03.09.2020 which was consumed in filing and adjudication the I.A. No. 3421 of 2020 before the Adjudicating Authority, have not been excluded.

3. We are of the considered view that the Ld. Adjudicating Authority has simply allowed the period of 83 days i.e. from 18.03.2020 to 07.07.2020 from CIR process is not accordance with law. Therefore, the impugned order is hereby set aside. The period of 101 days i.e. from 25.05.2020 to 03.09.2020

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consumed in filing and adjudication of I.A. No. 3421 of 2020 before the Adjudicating Authority is hereby excluded as prayed by the Appellant in this Appeal. The period as prayed by the Appellant is hereby allowed. The Appeal stands allowed.

4. Registry to upload the order forthwith on the website of this Appellate Tribunal.

5. Registry is directed to send the copy of this order to the Adjudicating Authority, National Company Law Tribunal, Principal Bench, New Delhi, forthwith.

[Justice Anant Bijay Singh]
Member (Judicial)

[Ms. Shreesha Merla]
Member (Technical)

R. N./ R.R./