

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

**Item No. 23
CA No. 572/2018, IA Nos. 899/2020,
78/2021, 608/2021 & 616/2021
In
CP (IB) No. 117/Chd/CHD/2017
(Admitted Matter)**

**Under Sections 60(5)(B), 66, 67, 68
and 69 read with Section 45, 47 and
49 and Section 25(2)(j) and 235A of
the Insolvency and Bankruptcy
Code, 2016 and Rule 11 of NCLT
Rules, 2016**

In the matter of:-

M/s Hajura Singh Bhim Singh

...Operational Creditor

Vs.

M/s Best Foods Limited

...Corporate Debtor

Present through Video Conferencing:

Mr. G.S. Sarin, Practising Company Secretary for applicant-
Liquidator in CA No. 572/2018 and for respondent-Liquidator in
IA Nos. 899/2020 and 78/2021.

Mr. Vishal Garg, Advocate for applicant in IA No. 899/2020.

Mr. Piyush Bansal, Advocate for applicant in IA No. 78/2021.

Mr. Vaibhav Sahni, Advocate for respondent Nos. 5 to 12 in CA
No. 572/2018.

Mr. Viren Sharma, Advocate for applicant in IA Nos. 608/2021 &
616/2021.

IA Nos. 899/2020 & 78/2021

It is stated by learned counsels for applicant in both the
applications that their claims have been admitted by Liquidator, therefore,

present IA Nos. 899/2020 and 78/2021 are rendered infructuous and accordingly, same are disposed of.

CA No. 572/2018

2. A date is requested on behalf of learned counsel for respondents. List on 13.01.2022.

IA No. 608/2021

3. Heard. Issue notice of this application to the respondent(s) for 13.01.2022. The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

4. In case, the service of speed post on the aforesaid respondent(s) is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

5. The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

6. Reply to be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed one week thereafter with a copy in advance to the counsel opposite.

7. List on 13.01.2022.

IA No. 616/2021

8. The present application has been filed for excluding the period of restriction of the lockdown imposed w.e.f. 19.04.2021 to 07.06.2021 from the

liquidation process of corporate debtor. Heard. Keeping in view the facts and circumstances and grounds mentioned in the application and Regulation 47A of Liquidation Process Regulations, 2016 and in view of the judgment of the Hon'ble Supreme Court of India in ***Suo Motu Writ Petition (Civil) No(s). 3/2020 in Re: cognizance for extension of Limitation vide order dated 23.03.2020; and decision dated 30.03.2020 of the Hon'ble National Company Law Tribunal in Suo Moto-Company Appeal (AT) (Insolvency) No. 01 of 2020, as well as Regulation 40C to the Insolvency and Bankruptcy Code of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016;*** the said period w.e.f. 19.04.2021 to 07.06.2021 is excluded from the liquidation process of the corporate debtor. IA No. 616/2021 is allowed accordingly.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

Sd/-
(Harnam Singh Thakur)
Member (Judicial)

December 01, 2021
YP