

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH-II, CHENNAI**

IA/483/IB/2020 in IBA/709/2019 filed
under Section 12 (2) of the IBC, 2016
read with Regulation 40 of the IBBI
(Insolvency Resolution Process for
Corporate Persons) Regulations, 2016.

AND

In the matter of M/s. SIP Industries Limited

Mr. G. Porselvam,
Resolution Professional of
M/s. SIP Industries Limited
LPF Building, II Floor,
25/10, Thyagaraja Street, Off North Usman Road
T. Nagar, Chennai-600017

--- Applicant

CORAM

R. SUCHARITHA, MEMBER (JUDICIAL)
B. ANIL KUMAR, MEMBER (TECHNICAL)

For the Applicant : *Shri. Ravi Rajagopalan, Advocate*

ORDER

Per: R. SUCHARITHA, MEMBER (JUDICIAL)

Order Pronounced on: 23.02.2021

This application has been filed under Section 12 (2) of the IBC,
2016 read with Regulation 40 of the IBBI (Insolvency Resolution
Process for Corporate Persons) Regulations, 2016 seeking (i)



extension of CIRP period by 90 days beyond 180 days; and (ii) confirmation of appointment of Mr.G. Porselvam, IRP as Resolution Professional. This application was filed on 04.03.2020.

2. By Order of this Adjudicating Authority dated 26.08.2019 in IBA/709/2019 CIRP was initiated against the Corporate Debtor M/s. SIP Industries Limited and the Applicant was appointed as the IRP. Subsequently, during the 1st CoC Meeting held on 03.10.2019, it was resolved that the Applicant shall continue to be the Resolution Professional. The CIR Process ought to be completed within a period of 180 days from the date of commencement of CIRP i.e. 26.08.2019.

3. Meanwhile, due to COVID-19 pandemic, various time frames were put on hold by Regulation 40(C) of the IBBI Insolvency Resolution Process for Corporate Persons) Regulations 2020, which is reproduced as under:

*“40(C) Special provision relating to time line:
Notwithstanding the time-lines contained in these regulations, but subject to the provisions in the Code, the period of lockdown imposed by the Central Government*

in the wake of COVID-19 outbreak shall not be counted for the purposes of the time-line for any activity that could not be completed due to such lockdown, in relation to a Corporate Insolvency Resolution Process”.

4. Therefore, the lockdown period imposed by the Central Government shall not be counted for the purpose of computation of the time-line. Hence, this application has been filed by the Resolution Professional seeking extension of the CIRP time period beyond 180 days.

5. The CIRP commenced on 26.08.2019. This application was filed on 04.03.2019 seeking extension of 90 days of CIRP. Meanwhile, due to outbreak of COVID-19 pandemic, the matter could not be listed. It has been brought to our notice that applicant/RP herein is unwell and could not proceed with the assignment. The CoC has filed another application IA/1055/IB/2020 for appointment of one Ms. Chitra Perinkulam as RP. This application was filed on 06.11.2020.



6. In view of above said facts and circumstances, the CIRP period is extended for the period of 90 days from today. Hence, the CIRP shall end on 10.05.2021.

7. Accordingly, this application **IA/483/IB/2020** is **allowed**.

-sd-
(ANIL KUMAR B)
MEMBER (TECHNICAL)

-sd-
(R. SUCHARITHA)
MEMBER (JUDICIAL)

KNP