

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 588 of 2026
&
I.A. No. 2228 of 2026

IN THE MATTER OF:

Purusottam Behera
Resolution Professional of Personal Guarantor **...Appellant(s)**

Versus

Bank of India & Ors. **...Respondent(s)**

Present:

For Appellant(s) : Mr. Mohak Sharma, Advocate.

For Respondent(s) : Mr. Somesh Chhangani, Advocate for FC.

ORDER
(Hybrid Mode)

21.05.2026 I.A. No. 2228 of 2026: This is an application praying for condonation of delay of 64 days in refiling the Appeal. We find that sufficient cause has been shown in Para 5 to 8 of the application to condonation of delay. Ld. Counsel for the Financial Creditor has no objection. Application for condonation of refiling delay is allowed.

2. Heard Ld. Counsel appearing for the Appellant and Ld. Counsel appearing for the Financial Creditor.

3. This Appeal has been filed by the Resolution Professional of Personal Guarantor challenging the order dated 27.11.2025 passed in IA No. 5439 of 2025 by which the Appellant had prayed for extension of PIRP period. In the application, the Appellant prayed for following reliefs as quoted in Para-1 of the order:

“a) To consider the present IA of 2025 under section 6D(2) of the Code;

b) To allow extension of Personal Insolvency Resolution Process Period of 90 days (beyond 120

days) period, with effect from 22nd October 2025 to 19 January 2026, for filing an application before this Hon'ble Tribunal for consideration of Repayment Plan as submitted by Mr. Anurag P. Gupta to Maximise the value for all the Creditors;

c) To condone the delay of 28 days in filing of this application seeking extension in the PIRP period;

d) Issue such other orders as may be necessary in the matter.”

4. Ld. Counsel for the Appellant submitted that the repayment plans have been received which were placed before the Creditors but before the repayment plan could be considered 120 days period of PIRP came to an end. Hence, the application was filed for extension of 90 days period which came to be rejected by the impugned order, observing that the extension cannot be granted.

5. Ld. Counsel for the Financial Creditor does not have any objection in extending the period of PIRP and for consideration of repayment plan submitted by the Personal Guarantor.

6. We have heard Ld. Counsel for the parties and perused the record.

7. Ld. Counsel for the Appellant has placed reliance the Judgment of this Tribunal in CA (AT) (Ins.) No. 258 of 2026, Purusottam Behera v. State Bank of India, decided on 26.02.2026 where this Tribunal while considering the similar issue has held that PIRP period can be extended and Tribunal has jurisdiction to extend the PIRP period although the moratorium which is statutorily fixed cannot be extended. The above Judgment fully supports the submission of the Counsel for the Appellant. In view of the aforesaid, following the above Judgment, we allow the Appeal and set aside the order dated

27.11.2025 passed in I.A. No. 5439 of 2025 and extend the PIRP period for 90 days from today. It shall be open for the RP to proceed further in accordance with law.

8. The Appeal is disposed of.

[Justice Ashok Bhushan]
Chairperson

[Indevar Pandey]
Member (Technical)

Abhishek/Manu