



NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH COURT II

Item No. 9

IA 3281/2025 in C.P. (IB)/665(MB)2023

CORAM

SHRI SANJIV DUTT
HON'BLE MEMBER (TECHNICAL)

SHRI ASHISH KALIA
HON'BLE MEMBER (JUDICIAL)

ORDER SHEET OF HEARING (HYBRID) DATED **29.07.2025**

NAME OF THE PARTIES: **Praveen Kumar Agarwal HUF**

Vs

**Consumer Marketing (India) Private
Limited**

Appearance:

For Applicant : Adv. Rahul Gupta i/b Yash Jeriwala

For Respondent : None

IBC Under Section 7, Section 60(5)/Rule 11

ORDER

IA 3281/2025

1. Learned Counsel appearing for the Applicant/Resolution Professional submits that this Application has been filed for excluding days from 460 days from 09.11.2023 to 10.02.2025 in computing the CIRP period of the Corporate Debtor (Radius Estate Projects Private Limited) in accordance with section 60(5) of the Insolvency and Bankruptcy Code, 2016.
2. The Applicant Submits that due to the operation of the Interim Order dated 09.11.2023 passed by Hon'ble NCLT, the CIRP of the Corporate Debtor remained stayed, thereby restraining the Applicant from taking any steps in furtherance of the process, including even convening the first meeting of the Committee of Creditors (CoC). It was only upon the



withdrawal of the said appeal on 10.02.2025 and the consequent vacation of the stay that the Applicant was able to resume the CIRP and initiate actions such as constitution of the CoC and conduct of meetings.

3. As a result, the CIRP remained effectively suspended for a period of 460 (Four Hundred and Sixty) days. The Applicant, therefore, seeks exclusion of this period from the CIRP timeline in the interest of justice and to ensure effective completion of the process.
4. The 4th CoC Meeting was held on 22.05.2025, wherein a resolution was passed authorizing the IRP to file IA for exclusion of 460 days from the CIRP of the Corporate Debtor.
5. After considering the facts and circumstances of the case, the Tribunal is inclined to exclude the CIRP period as prayed for. Accordingly, the CIRP period excludes 460 days from 09.11.2023 to 10.02.2025 **IA 3281/2025 is allowed and disposed of** accordingly.

Sd/-

SANJIV DUTT
MEMBER (TECHNICAL)

Swapnil

Sd/-

ASHISH KALIA
MEMBER (JUDICIAL)