

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT - IV

ITEM No. 401
IA/2672/ND/2022, IA/2671/ND/2022 IN IB/623/ND/2020

IN THE MATTER OF:

S.K Enterprises ... Applicant
Versus ...
Trikalp Laminates India Pvt Ltd. ... Respondent

Order under Section 9 Of Insolvency and Bankruptcy Code, 2016
Order delivered on 10.08.2022

Coram:

Mr. DHARMINDER SINGH,
HON'BLE MEMBER (J)

DR. BINOD KUMAR SINHA,
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Mr. Amarjeet Singh, Adv.
For the IRP : Ms. Rukhsana Chaudhary, IRP along with Mr. Animesh
Khandewal, Adv. & Mr. Apoorv Khator, Adv.
For the Respondent : Ms. Rashi Gupta, Adv.

ORDER

IA/2672/ND/2022

This application has been filed for granting exclusion of period between 22.06.2021 to 26.05.2022 (335 days) for calculation of period for CIRP. The present Ld. Counsel stated that though the CIRP proceedings are initiated by this Tribunal on 22.06.2021, but the intimation to the IRP had been received on 26.05.2022. The Ld. IRP who is present in person Ms. Rukhsana Chaudhary stated that the email which has been mentioned in the order was wrong that is why order could not be delivered and this was come in the order only after Corporate Debtor i.e. respondent in the present matter sent an email to her that the matter has been settled and the payment has already been paid in February, 2021 itself to the Operational Creditor. This fact has

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also been exposed that Mr. Gaurav Kalra who is present in person is partner of S.K. Enterprises.

Accordingly, taking into consideration the above said fact, that the intimation was received by the Ld. IRP on 26.05.2022. The said period stands excluded and the present application **i.e. IA/2672/ND/2022 stands allowed.**

IA/2671/ND/2022

This application has been filed on behalf of the IRP under Section 12A of the IBC, 2016 stating that the matter has been settled between the parties. Accordingly, prayed for withdrawal of the CIRP proceedings.

Taking into consideration the fact that "Form FA" has been placed on record which shows that same has been signed by the Operational Creditor Accordingly, the present application i.e. **IA/2671/ND/2022** stands **allowed** and CIRP proceedings stand withdrawn.

Ld. IRP present in person stated that entire due has been paid and nothing is due towards the cost of CIRP Accordingly, she stands discharged. The Respondent/Corporate Debtor is discharged from the rigorous of CIRP proceedings.

Ld. IRP is directed to hand over the CD to Board of Director of CD.

Accordingly, the present application i.e. **IA/2671/ND/2022** stands **allowed** and **IB/623/ND/2020 stands closed.** File be consigned to record room after due compliance.

**DR. BINOD KUMAR SINHA
MEMBER (TECHNICAL)**

Amit

**DHARMINDER SINGH
MEMBER (JUDICIAL)**