

**NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT No. - I**

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IA No. 4012/MB/2019

In

CP (IB) 1053/MB/2017

Amar Remedies Ltd... Corporate Debtor/Corporate Applicant

v/s

Anil Goel... Respondent

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Dated 20th August 2020

ORDER

The work of the Tribunal has been closed due to Covid-19 pandemic as per letter dated 22.03.2020 and subsequent follow up orders of the Principal Bench, National Company Law Tribunal. The Principal Bench vide Order dated 31.07.2020, constituted this Bench for hearing of the urgent matters through Video Conference (VC).

The matter is taken up on VC. IA No. 4012/MB/2019 is an Application filed by the RP for exclusion of the period from 03.06.2018 till the disposal of this Application from the CIRP period and also for extension of 90 days period of CIRP as provided under Section 12 of the Code. Heard the Counsel for the Applicant as well as the RP who is present in the VC. The Counsel for the Applicant submits that the Resolution Applicant has filed IA No. 524 of 2018 for approval of the Resolution Plan on 3.6.2018 and the same was dismissed as withdrawn on 02.12.2019.

In the meantime, there were some proceedings which had been taken up in appeal before Hon'ble NCLAT and Hon'ble NCLAT by an order dated 30.09.2019 revived the CIRP and remitted back the matter to NCLT for further proceedings. Now the CoC, vide Resolution dated 13.8.2020 with a vote share of 77.67% passed a Resolution for seeking exclusion of the above said period and also for extension of 90 days of CIRP.

Considering the facts and situation in this case and due to pendency of litigation before Hon'ble NCLAT, the exclusion sought for by the Applicant is

granted. Accordingly the period from 3.6.2018 to 20.8.2020 is excluded from CIRP period. Further the CIRP is extended by 90 days from 20.8.2020. The CIRP would thus ordinarily come to an end on 17.11.2020. The RP is directed to conclude the CIRP to the extent possible by this period. IA No. 4012 of 2019 is allowed and accordingly disposed of.

Sd/-
V. NALLASENAPATHY
Member (Technical)

Sd/-
MOHAMMED AJMAL
Member (Judicial)