

**DIVISION BENCH
COURT - II**

O-121

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/1684(KB)2018
IA(I.B.C)/946(KB)2021, IA(I.B.C)/46(KB)2021,
IA(I.B.C)/109(KB)2021, IA(I.B.C)/226(KB)2021,
IA(I.B.C)/335(KB)2021, IA(I.B.C)/1519(KB)2019,
IA(I.B.C)/1173(KB)2020, IA(I.B.C)/797(KB)2021,
IA(I.B.C)/763(KB)2021

**Present: 1. Hon'ble Member(J), Shri Rohit Kapoor
2. Hon'ble Member(T), Shri Harish Chander Suri**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 08th November, 2021, 10:30 A.M

Name of the Company	JAYANTA BANERJEE Vs. INCAB INDUSTRIES LTD.		
Under Section	IBC Under Sec 9(LIQUIDATION)		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

Counsel / Authorised Representative appeared through video conference:

1. Mr. Tridib Bose, Advocate] For RP
2. Mr. Debargha Basu, Advocate]
3. Mr. Pankaj Kumar Tibrewal, RP] Self

1. Mr. A.K.Srivastava, Advocate] For Bhagwati Singh, (Jamshedpur
2. Mr. Akash Sharma, Advocate] Workers)

1. Mr. Rishav Banerjee, Advocate] For Operational Creditor
2. Mr. Ritoban Sarkar, Advocate]
3. Mr. Avishek Das, Advocate]

1. Ms. Urmila Chakraborty, Advocate] For applicants in IA/1519(KB)2019
2. Ms. Sweta Mohanty, Advocate]

1. Mr. Satyendra Agrawal, Advocate] For EPFO

1. Mr. Ranjit Rajak, Advocate] For Corporate Debtor
2. Mr. Pratip Mukherjee, Advocate]

ORDER

1. Ld. Counsel for the parties present.

2. **IA(IBC)/946(KB)2021**

(a) This is an application filed by the RP seeking exclusion of 132 days from the CIRP period. The extended period of CIRP period has expired on 01/11/2021.

(b) Ld. Counsel for the RP submits that the CoC at its 10th meeting held on 22/10/2020 has passed a resolution by 92.78% voting share approving exclusion of 132 days from the CIRP period.

(c) We have perused the application and the documents attached therewith and heard the Ld. Counsel appearing for the RP. We are satisfied that the prayer made in the IA should be allowed. Therefore, 132 days period shall stand excluded from the CIRP period.

(d) IA is disposed of accordingly.

3. **IA(IBC)/1519(KB)2019** – There are no documents in the e-filing portal. Both sides are hereby directed to complete e-filing process and ensure defect free status. List it on 20/12/2021.

4. List all remaining applications on 20/12/2021.

Harish Chander Suri
Member (Technical)

Rohit Kapoor
Member (Judicial)

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