

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 774 of 2020

IN THE MATTER OF:

**Harish Taneja Resolution Professional
Zillion Infraprojects Pvt. Ltd.**

...Appellant

Versus

Suresh Kumar Jain

...Respondent

Present:

For Appellant :

**Mr. Vinod Chaurasia, Advocate for RP
Mr. Harish Taneja, RP**

ORDER
(Through Virtual Mode)

10.09.2020 Mr. Vinod Chaurasia, Advocate representing the Appellant (Resolution Professional) submits that I.A. No. 2917 of 2020 had been filed seeking exclusion of period from 15th March, 2020 till 30th June, 2020 due to outbreak of Covid19 and imposition of lockdown. However, the Adjudicating Authority (National Company Law Tribunal), New Delhi Principal Bench has excluded period from 25th March, 2020 to 31st May, 2020 from the 'CIRP' period and disposed of Interlocutory Application without specifying in the order whether the prayer in respect of period from 15th March, 2020 upto 24th March, 2020 and from 1st June, 2020 to 30th June, 2020 has not been allowed to be excluded from the 'CIRP' period. From the tone and tenor of the order as emanating from paragraph 1 of the impugned order, it is gathered that I.A. No. 2917 of 2020 was only for exclusion of period from 25th March, 2020 to 31st May, 2020 which is not in conformity with the facts asserted in paragraph 22 and the prayer clause of the aforesaid Interlocutory Application.

After hearing the learned counsel for the Appellant we are of the considered opinion that some error/mistake has crept in, which may be due to oversight, inadvertence or some other reason. If it be so, the Appellant would be at liberty to bring it to the notice of the Adjudicating Authority inviting this omission/error/mistake in recording the period for which exclusion was sought for. The Adjudicating Authority may pass appropriate order after going through the record and rectify any error that may have crept in so that the 'CIRP' process is carried to its logical conclusion.

The appeal is accordingly disposed of.

A copy of this order be communicated to the Adjudicating Authority (National Company Law Tribunal), New Delhi at the earliest.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[Shreesha Merla]
Member (Technical)**

/ns/gc/