

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1050 of 2020

In the matter of:

**Mukul Kumar, Resolution Professional of KST
Infrastructure Ltd.**

....Appellant

Vs.

RPS Infrastructure Ltd.

....Respondent

Present:

**Appellant: Mr. Rajiv K. Virmani, Mr. Anuj, Mr. Tarun Biswah,
Advocates.**

ORDER

(Through Virtual Mode)

10.12.2020: The Adjudicating Authority (National Company Law Tribunal), New Delhi, Principal Bench, in terms of the impugned order dated 3rd November, 2020 directed the Appellant- Resolution Professional to consider the claim of Respondent on merit.

The issue raised in this appeal preferred by the Resolution Professional is that there has been a delay of 287 days in submitting the claim whereas in terms of the relevant Regulations the claim was required to be preferred only within 90 days. Thus, the claim has been filed at a belated stage far exceeding the prescribed timelines even for Corporate Insolvency Resolution Process.

Contd/-.....

Issue notice upon Respondent. Appellant to provide mobile Nos./ e-mail address of the Respondent. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

List the appeal 'for admission (after notice)' on 13th January, 2021.

Meanwhile, the Adjudicating Authority may consider the Resolution Plan pending before it for approval but shall not pass any order in regard to its approval till the next date of hearing.

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

**[Dr. Ashok Kumar Mishra]
Member (Technical)**

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

AR/g