

DIVISION BENCH
COURT - I

O-204

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/891(KB)2020
IA(I.B.C)/755(KB)2022,
IA(I.B.C)/1011(KB)2022,
IA(I.B.C)/1282(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR.
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 01ST NOVEMBER, 2022, 10:30 A.M

IN THE MATTER OF	BANK OF INDIA VS MCNALLY BHARAT ENGINEERING COMPANY LIMITED
UNDER SECTION	IBC UNDER SEC 7

Appearances (via video conferencing/physical)

DCIT, Cir-1(1), KOI
Mr. Kausik Ray, Adv.

**For the Resolution Professional/Applicant in I.A. No. 755 of 2022 and I.A. 1282/2022
and as Respondent in I.A. 1011/2022.**

Ms. Kanishka Prasad, Adv.

Ms. Ishita Srivastava, Adv.

ORDER

1. Ld. Counsel for the parties present.

IA(I.B.C)/755(KB)2022

- a) Ld. Counsel has stated that refund as claimed in this IA has been made by Income-Tax Department and in view of this, she seeks to withdraw this IA.
- b) IA(I.B.C)/755(KB)2022 is accordingly dismissed as withdrawn.

IA(I.B.C)/1282(KB)2022

2. This IA has been filed u/s 12(2) of the Insolvency & Bankruptcy Code, 2016, by Resolution Professional for seeking extension of period of completion of CIRP Period by 90 days. 180 days come to end on 31.10.2022. It is stated by Ld. Counsel appearing for applicant there are 17 prospective resolution application and CIRP in advance stage. The agenda for approval of extension of CIRP period for further 90 days is at page 120 of this IA whereas approval of CoC by 97.89% for voting rights in that page 123-124 of this IA. This IA is accompanied by resolution professional at page 90.
3. It is stated in para 7 that given the time bound nature of CIRP process applicant prays of 90 days extension to make endeavours to complete this IA process.
4. In view of the above position, we allow these applications and extend period of CIRP by 90 days with effect from 31st October, 2022.
5. This IA is accordingly allowed and disposed of.
6. Post this for filing progress report on 30.11.2022.

IA(I.B.C)/1011(KB)2022

7. Post this IA on 30.11.2022.

Balraj Joshi
Member (Technical)

Rohit Kapoor
Member (Judicial)