



NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

113. I.A. 3295/2022

I.A. 1053/2025

In

C.P.(IB)579(MB)/2018

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. HARIHARAN NEELAKANTA IYER, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **26.03.2025**

NAME OF THE PARTIES: Edelweiss Asset Reconstruction Co. Ltd.

V/s.

M/s. Birla Cotysn (India) Ltd.

Appearance

For Applicant : Adv. Yashvi Panchal

For Liquidator : Adv. Dhananjaya Sud

SECTION 7 OF THE IBC, 2016

ORDER

Hearing Through: Virtually and Physical (Hybrid) Mode

I.A. 3295/2022

1. This application has been filed by M/s. Shrinika Infra Ltd against the Liquidator seeking handing over of the premises rented out to the corporate debtor for a licence fee.
2. Ld. counsel for the applicant submits that since the premises have been handed over to the applicant and the licence fee has also been paid, he has the instruction not to pursue the said application.
3. Accordingly, I.A. is **disposed of**.



I.A. 1053/2025

1. This application has been filed by the liquidator seeking following reliefs:

- a. Allow the present Application;*
- b. Pass an Order for Excluding the Period from 18.05.2022 till the Date of Final Adjudication of this Captioned Application OR the Approval of the Scheme as proposed by Mr. Nikhil Jain, M/s Rohstoffe International Private Limited and Wendt Finance Private Limited by this Hon'ble Tribunal (whichever is later) in terms of Regulation 2B of the Liquidation Regulations, from the Liquidation Process Period of the Corporate Debtor;*
- c. Pass any such order(s) as this Hon'ble Tribunal may deem fit in the interest of justice*

2. Ld. counsel for the applicant submits that the scheme for compromise with the creditors of the corporate debtor was propounded and submitted for approval in CA (CAA) 109/2023 on 11.04.2023 before the Tribunal which was approved by the Tribunal vide order dated 09.01.2025. Therefore, seeking exclusion of the period consumed for this.

3. Having heard, Ld. counsel and having gone through the facts of the case, we are inclined to grant the exclusion for the period from 11.04.2023 to 09.01.2025 being the period for which CA (CAA) 109/2023 was pending before this Tribunal.

4. Accordingly, I.A. **is disposed** of in the above terms.

Sd/-
HARIHARAN NEELAKANTA IYER
Member (Technical)
---Rajeev---

Sd/-
LAKSHMI GURUNG
Member (Judicial)