

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-518

IB-375/PB/2018

IA/6666/2023, Intervention Petition-86/2023, IA/6484/2023, IA/6049/2023,
IA/5356/2023, IA/5290/2023, IA/5177/2023, IA/4389/2023, IA/3415/2023,
IA/3002/2023, IA/4125/2021, IA/2726/2021, IA/3067/2021, IA/5454/2021,
IA/613/2021, IA/827/2021, IA/2508/2021, IA/2576/2021, IA/4232/2021,
IA/5611/2021, IA/894/2022, IA/6338/2022, IA/1677/2023, IA/1326/2023,
IA/1439/2023, IA/2567/2023

IN THE MATTER OF:

M/s. Bipin Industries Pvt. Ltd.

....Applicant

Vs.

M/s. ABW Infrastructure Ltd.

.....Respondent

SECTION

U/s 7 IBC CIRP

Order delivered on 25.01.2024

CORAM:

**SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)**

**Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant : Adv. Sinha Shrey Nikhilesh, Adv. Swastik Verma, Adv. Nayan Dubey, Adv. Md. Faraaz Khan, Adv. Parth Dawar for Applicant 1, 2 & 3 in IA/2508/2021
Mr. S.P. Chawla, Mr. Pawan Dubey, Adv. Kunal Surhatia in IA/4389/2023
Ms. Reema Khorana, Adv.
Mr. Sarad Kr. Sunny, Mr. Vikrant Kumar, Adv. in IA/1326/2023
Mr. Anirban Bhattacharya, Mr. Muneeb Rashid Malik, Ms. Priyanka Bhatt, Adv. in IA/6338/2022
Mr. Joby p Varghese Adv. in IA/1439/2023
Dr. Chandeeep Singh in IA 2576/2021
Adv. Raj Vardhan in IA/6666/2023
Adv. Rakesh Kumar, Adv. Preeti Kashyap, Adv. Ankit Sharma, Adv. Varun Pandit, Adv. Rishabh Arora, Adv. Yash Dhawan in IA/5290/2023
Mr. Vipul Ganda, Mr. Sumit Chander, Ms. Sakshi Rastogi, Ms. Avnika Mishra, Adv. in IA/4232/2021

Mr. Apoorva Thakral, Adv. in Intervention Petition-
86/2023 & IA/6484/2023

Mr. Harish Kumar Garg, Ms. Payal Agrawal in
IA/3415/2023

Adv. Alok Kumar, Adv. Deepti Bhardwaj, Adv. Kunal
Arora in IA/613/2021

Ms. Mukti Chaudhry, Mr. Abhishek Kumar, Advs. in
IA/5177/2023

Mr. Lzafeer Ahmad BF, Adv. in IA/5611/2021

For the Respondent :

For the RP : Mr. Satya Prakash Gupta, RP with Ms. Salonee
Keshwani, Mr. Ashish Verma, Advs.

ORDER

**IA/6666/2023, IA/6484/2023, IA/6049/2023, IA/5290/2023,
IA/3002/2023:-**

These are the applications filed by the Homebuyers for condonation of delay in filing their claim before the Resolution Professional. Heard the submissions made by the Ld. Counsel on behalf of the Applicant and Ld. Counsel on behalf of the Resolution Professional. Keeping in view of the fact, that the applications pertains to Homebuyers, we condone the delay in filing the claim by the Applicant before the Resolution Professional subject to payment of cost of Rs. 10,000/- (Ten Thousand) to be paid to the Resolution Professional by the each Applicant and the Resolution Professional shall utilize this amount in the CIRP proceedings. The Resolution Professional shall examine the claim and take appropriate decision as per the law. With these observations, all these applications i.e. IA/6666/2023, IA/6484/2023, IA/6049/2023, IA/5290/2023, IA/3002/2023 are **disposed off**.

Intervention Petition-86/2023:-

Ld. Counsel on behalf of the Applicant is present and submitted that in view of the order passed in IA/6484/2023, she seeks liberty to withdraw the present application. Liberty is granted to the Applicant to withdraw the present

application i.e. Intervention Petition-86/2023. The same is **dismissed as withdrawn.**

IA/5177/2023, IA/4389/2023, IA/3415/2023:-

These applications have been filed by Corporate Entities for condonation of delay in filing their claim before the Resolution Professional. Heard the submissions made by the Ld. Counsel on behalf of the Applicant and Ld. Counsel on behalf of the Resolution Professional. Keeping in view the facts and circumstances of the case, and keeping in view of the fact that Form G is yet to be issued, we condone the delay in filing the claim by the Applicant before the Resolution Professional subject to payment of cost of Rs. 25,000/- (Twenty Five Thousand) to be paid by the each Applicant to Resolution Professional and the Resolution Professional shall utilize that amount in the CIRP proceedings. The Resolution Professional shall examine the claim and take appropriate decision. With these observations, all these applications i.e. IA/5177/2023, IA/4389/2023, IA/3415/2023 are **disposed off.**

IA/894/2022:-

This is an application filed by the Indian Bank seeking condonation of delay in filing their claim before the Resolution Professional. Heard the submissions made by the Ld. Counsel on behalf of the Applicant and Ld. Counsel on behalf of the Resolution Professional. Keeping in view of the fact, the recent amendment made in the Regulations by the IBBI and also taking into account the fact that Form G is yet to be issued, we condone the delay in filing their claim by the Applicant before the Resolution Professional subject to payment of cost of Rs. 50,000/- (Fifty Thousand) to be paid by the Applicant to the Resolution Professional and the Resolution Professional shall utilize that amount in the CIRP proceedings. The Resolution Professional shall examine the claim and take appropriate decision. With these observations, the present application i.e. IA/894/2022 **is disposed off.**

IA/5356/2023:-

Ld. Counsel on behalf of the Applicant is present and seeks liberty to withdraw the present application. Liberty is granted to the Applicant to withdraw the present application. The same is **dismissed as withdrawn**.

**IA/4125/2021, IA/2726/2021, IA/3067/2021, IA/5454/2021,
IA/613/2021, IA/827/2021, IA/2508/2021, IA/2576/2021,
IA/4232/2021, IA/5611/2021, IA/6338/2022, IA/1677/2023,
IA/1326/2023, IA/1439/2023, IA/2567/2023:-**

List all these applications on **29.02.2024**.

**S/d-
(Dr. SANJEEV RANJAN)
MEMBER (T)**

**S/d-
(MAHENDRA KHANDELWAL)
MEMBER (J)**