

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/288(KB)2021  
IA(I.B.C)/1751(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE  
2. HON'BLE MEMBER(T), SHRI D. ARVIND**

**ORDER SHEET OF THE HEARING ON 22ND AUGUST 2024**

IN THE MATTER OF	UCO BANK VS MAA RATANTI KALIMATA COLD STORAGE PVT. LTD
UNDER SECTION	IBC UNDER SEC 7

**Appearance (via video conferencing/physically)**

Mr. Shaunak Mitra, Adv.	] For the Resolution Professional
Mr. Chandan Mohata, Adv.	]
Mr. Santanu Brahma, RP	]

**ORDER**

1. Learned Counsel for the Resolution Professional present.

2. **IA(I.B.C)/1751(KB)2024:**

a. This application is filed by the Applicant under Section 60 (5) of the Insolvency and Bankruptcy Code, 2016 read with Rule 11 of the National Company Law Tribunal Rules, 2016 for the following reliefs:

(i) *An order be passed by this Hon'ble Tribunal excluding the said period of 25.01.2024 (CIRP Commencement Date) till 03.07.2024 (date of receipt of the order of IRP Appointment) being a total of 160 days from the CIRP Period;*

(ii) *Such further or other orders be passed and/or direction or directions be given as this Hon'ble Tribunal may deem fit and proper in the instant case.*

a. Mr. Samya Sengupta (IBBI/IPA-001/IP-P00098/2017-18/10198) was appointed as the erstwhile Interim Resolution Professional by an order dated 25<sup>th</sup> January, 2024 passed by this Tribunal. We have gone through the page No. 57 of this application which indicates 100 per cent approval of COC in regard to the appointment of Mr. Santanu Brahma (IBBI/IPA-001/IP-P01482/2018-

2019/12251) in place of Mr. Samya Sengupta as Mr. Samya Sengupta did not have a valid AFA.

- b. In view of such, an exclusion for the period of 160 days is sought for in view of the facts pleaded in this application particularly in paragraphs 6 and 7.
- c. This application is supported by an affidavit which is placed at pages 18 to 19.
- d. We have perused the application and the documents attached therewith and heard the learned Counsel for the Resolution Professional. On being satisfied, we grant exclusion of CIRP process of 160 days towards time consumed in replacing the Interim Resolution Professional and, accordingly, IA(I.B.C)/1751(KB)2024 is allowed and disposed of.
- e. The Resolution Professional is directed to complete the whole process mandatorily within the extended time period.

**D. Arvind**  
**Member (Technical)**

**Bidisha Banerjee**  
**Member (Judicial)**