

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-104

IB-1529/ND/2019

New IA/4730/2022, New IA/4821/2022

IN THE MATTER OF:

M/s. COL. C.D Sharma (Retd.) & Ors.

....Applicant

Vs.

M/s. Orior Developers and Infrastructure Pvt. Ltd.

....Respondent

SECTION

U/s 7 IBC CIRP

Order delivered on 07.10.2022

CORAM:

**SHRI P.S.N. PRASAD,
HON'BLE MEMBER (JUDICIAL)**

**SHRI RAHUL BHATNAGAR,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant

Mr. Iswar Mohapatra, Adv., Mr. Suraj
Sharma, CS, Ms. Meenu Sharma, CS for the
Applicant RP in New IA/4730/2022 & New
IA/4821/2022

For the Respondent

ORDER


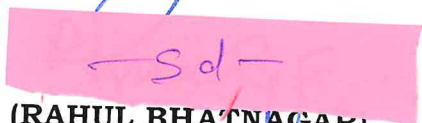
New IA-4730/2022



This is an application filed by the Mr. Prabhakar Kumar, Resolution Professional under Section 60(5) read with Rule 11 of NCLT Rules, 2016 seeking necessary exclusion for the period 28.01.2022 to 27.04.2022 from the CIRP period. Having heard the submissions made by Ld. Counsel for the Resolution Professional we do not find any merit in this application, therefore, liberty is granted to Ld. Counsel for the Resolution Professional to withdraw the present application. Ld. Counsel for the Resolution Professional has exercised the liberty granted by this Tribunal. The application is therefore **dismissed as withdrawn** in terms of Rule 11 of NCLT Rules, 2016.



New IA-4821/2022

This is an application filed under Section 60(5) read with Rule 11 of NCLT Rules, 2016. We have heard the submissions made by Ld. Counsel for the Resolution Professional. Since Resolution Professional has replaced the Suspended Board of Directors, Resolution Professional has to discharge all functions of the Board and also ensure that the concerned functions are discharged to keep the concern as a going concern (Corporate Debtor is a going concern) for which he has been vested with sufficient powers under the regulations and rules made under the code. Therefore, Resolution Professional is directed to exercise necessary due diligence and discharge his functions as per law. The present application stands **disposed of**.



(RAHUL BHATNAGAR)
MEMBER (T)



(P.S.N. PRASAD)
MEMBER (J)

Amit Tiwari