

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1524 of 2019

In the matter of:

**The Deputy Commissioner Commercial Taxes
(Audit) – 1, Kalaburagi**

....Appellant

Vs.

Surana Industries Ltd. (In Liquidation) & Anr.

....Respondents

Present:

Appellant: Mr. Sandeep Hulgul, Advocate.

Respondents: Mr. Parthasarhy Bose, Mr. Mayank Kshir Sagar, Ms. Pankhuri and Mr. Mohd. Arif, Advocates.

ORDER

07.02.2020: Heard learned counsel for the parties.

In terms of impugned order, the Appellate Authority (National Company Law Tribunal) Division Bench I Chennai declined to entertain the appeal preferred against rejection of claim of Appellant by the Liquidator on the ground that no specific application seeking condonation of delay was filed beyond the prescribed period of 14 days. Learned counsel for the Appellant submits that there was a confusion about communication of the impugned order and that manifested in filing of appeal after delay of 7 days beyond the prescribed period. However, that cannot be a ground for seeking condonation as the liquidation process is a time bound process and the Liquidator has to conclude his proceedings within one year as prescribed under Insolvency and Bankruptcy Code, 2016.

2. In absence of sufficient cause and cogent reason, we are unable to persuade ourselves to interfere with the impugned order. The appeal is accordingly dismissed.

[Justice Bansi Lal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

[V. P. Singh]
Member (Technical)

am/nn