

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency)No. 1296 of 2019**

**IN THE MATTER OF:**

**Earth Gracia Buildcon Pvt. Ltd.**

**.....Appellant**

**Vs.**

**Committee of Creditors of Earth Gracia  
Buildcon Pvt. Ltd.**

**.....Respondent**

**Present :**

**For Appellant: Mr. Sandeep Bisht, Mr. Anuj Tiwari, Advocates**

**O R D E R**

**19.11.2019** - This appeal has been preferred by Appellant - 'Resolution Professional' of 'Earth Gracia Buildcon Pvt. Ltd.' against the order dated 1st October, 2019 passed by the Adjudicating Authority ('National Company Law Tribunal') Principal Bench, New Delhi. By the Impugned order, the Adjudicating Authority while rejecting the prayer for exclusion in view of the decision of 'Committee of Creditors', extended further period of 90 days in terms of Section 12(2) of the 'I&B' Code, 2016.

...contd.

The aforesaid order was challenged after delay of 3 days. While we condone the delay of 3 days, we are not inclined to interfere with the impugned order as the 'Committee of Creditors' in its 'Resolution Plan' asked the Appellant - 'Resolution Professional' to seek exclusion of 'Corporate Insolvency Resolution Process' period beyond 180 days and not for exclusion of any period. We find no merit in this appeal, it is accordingly dismissed. No costs.

[Justice S. J. Mukhopadhaya]

Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

[Justice Venugopal M.]  
Member (Judicial)

ss/sk

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