

IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – 1, AHMEDABAD

ITEM No.4- IA/1056(AHM)2026
In
C.P.(IB)/211(AHM)2025

Proceedings under Section 9 IBC

IN THE MATTER OF:

Vidya Devi Chowdhury Proprietor of BDHCCI Coal Coke
Minerals & Metals Enterprises
V/s
Vimla Fuels & Metals Limited

.....Applicant

.....Respondent

Order delivered on: 13/07/2026

C O R A M:

MR. SHAMMI KHAN, HON'BLE MEMBER (J)
MR. SANJEEV SHARMA, HON'BLE MEMBER (T)

P R E S E N T:

For the Applicant : Mr. Dheeraj Garg, Adv. a. w.
: Mr. Anil Kumar S. Agarwal, IRP in person
For the Respondent :

O R D E R
(Hybrid Mode)

IA/1056(AHM)2026

1. The present Application has been filed by the Resolution Professional under Section 60(5) of the Insolvency and Bankruptcy Code, 2016 seeking exclusion of 62 days from the Corporate Insolvency Resolution Process period of the Corporate Debtor.
2. Learned Counsel for the Applicant submitted that pursuant to the order dated 04.11.2025 passed by the Hon'ble National Company Law Appellate Tribunal, whereby further steps in the Corporate Insolvency Resolution Process were stayed, except consideration of the application under Section 12A of the Code, till its rejection vide order dated 05.01.2026. Therefore, a period of **62 days**, during which no effective progress in the Corporate Insolvency Resolution Process could be made, deserves to be excluded.
3. It was further submitted that the Committee of Creditors, with 100% voting share, approved filing of the present Application and that 10 Prospective Resolution Applicants have expressed interest, out of which 05 Resolution Plans have been received. Reliance has been placed upon the judgment of the Hon'ble National Company Law Appellate Tribunal in *Quinn Logistics India Pvt. Ltd. v. Mack Soft Tech Pvt. Ltd. & Ors.*, Company Appeal (AT) (Insolvency) No. 185 of 2018.
4. We have considered the submissions made by the learned Counsel for the Applicant and perused the material available on record.
5. The material on record reflects that the Corporate Insolvency Resolution Process remained affected during the period from 04.11.2025 to 05.01.2026 on account of judicial proceedings. The Committee of Creditors has approved the present

Application with the requisite voting share. The judgment in Quinn Logistics India Pvt. Ltd. v. Mack Soft Tech Pvt. Ltd. & Ors. recognizes exclusion of the period during which the Corporate Insolvency Resolution Process remained stayed or could not effectively proceed due to judicial orders.

6. Therefore, period of **62 days**, i.e. from 04.11.2025 to 05.01.2026, is excluded from the computation of the Corporate Insolvency Resolution Process period of the Corporate Debtor.
7. The Resolution Professional shall proceed with the Corporate Insolvency Resolution Process in accordance with the Insolvency and Bankruptcy Code, 2016 and the Regulations framed thereunder.
8. Accordingly, **IA No. 1056 of 2026** stands **disposed of**. No order as to costs.

Sd/-

SANJEEV SHARMA
MEMBER (TECHNICAL)

Sd/-

SHAMMI KHAN
MEMBER (JUDICIAL)