NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI
(APPELLATE JURISDICTION)
Company Appeal (AT) (CH) (Ins) No. 276/2026
(IA Nos. 781, 782 & 953/2026)

In the matter of:

Idulupati Srinivasa Rao, Director
(Suspended Powers) of ISR Infra Pvt Ltd … Appellant

Vs

Kalvakolanu Murali Krishna Prasad,
Liquidator of ISR Infra Pvt Ltd & 2 Ors. … Respondents

Present :

For Appellant	:	Mr. Y. Suryanarayana, Advocate For Mr. Bendi Raviteja, Advocate
For Respondents	:	Mr. M.M. Viswaraj, Advocate for R1 Mr. R. Sugumaran, Advocate for R2

ORDER
(Hybrid Mode)

04.08.2026:

This appeal is preferred challenging an order of the Adjudicating Authority, rejecting a scheme framed under Section 230 of the Companies Act, as the same was beyond 90 days, as prescribed under Regulation 2B(1) of Liquidation Process, Regulations. In M/s. Prakash Oil Depot Vs. G. Madhusudhan Rao & Anr, (CA (AT) (CH) (Ins) No. 304/2025), vide order dated 01.08.2025, this Tribunal held that a period of 90 days as prescribed in Regulation 2B(1) is only directory and not mandatory.

Be that as it may. The respondent no. 2, the sole financial creditor has filed a memo that, the proposal may have to be routed through the SCC.

We only now decide whether the period of 90 days as stipulated in Regulation 2B(1) is directory and not mandatory and this is answered in M/s. Prakash Oil Depot case.

So far as compliance of other statutory requirements are concerned, the same shall adopt what is prescribed.

Subject to the observation made herein, we allow the appeal, set aside the order and remand the matter back to the SCC.

[Justice N Seshasayee]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

YS/MS/AK