

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 607 of 2025

&

I.A. No. 2333 of 2025

IN THE MATTER OF:

**Sturdy Industries Ltd.,
Through Its RP Anurag Goel
Versus**

...Appellant

Surya Irrigation Pvt. Ltd.

...Respondent

Present:

**For Appellant : Ms. Reema Khanneotra and Mr. Rishi Singhal,
Advocates.**

**For Respondent : Ms. Amrita Sarkar, Mr. Ashish Kumar Singh, Mr.
Gitesh Sinha and Mr. Kartik Gupta, Advocates.**

O R D E R
(Hybrid Mode)

12.05.2026: When the matter came up before us on 12.03.2026, we passed the following order:

This appeal is filed challenging an order dismissing a petition by the appellant under Section 9 of the IBC. Along with the appeal, the appellant has taken out IA No. 2333 of 2025 for condonation of delay. According to the appellant, the appeal might be time-barred from the date of the original order of the Adjudicating Authority dated 06.11.2024, but from the dated of the rectification order dated 12.02.2025, the appeal is within time.

2. Learned counsel for the appellant took us through both the original order under rectification order. Learned counsel explains that the only rectification that was done that was removal of few pages which are irrelevant to the case where tag to the order.

3. *We require the appellant to file its application for rectification for appreciating the quality of his submission.*

2. Subsequently, appellant had taken out I.A. No. 2333 of 2025 and produced a copy of the application for rectification which the respondent herein had filed before the Adjudicating Authority. In the said petition three rectification were sought of items No. 1 & 2 were cosmetic in character, and that which in item No. 3 was not allowed by the Tribunal.

3. Learned counsel for the appellant now submits that on 06.06.2024, appellant itself was drawn into CIRP and, by virtue of section 60(6) of the IBC, the time during which moratorium operates shall be excluded from the time prescribed for filing any suit or other application.

4. Learned counsel submitted that the moratorium in respect of the appellant continues. He also placed on record the judgment of this Tribunal in ***Ashok Tiwari Vs. Tattva & Mittal Lifespaces Private Limited*** [Comp. App. (AT) (Ins.) No. 729 of 2023].

5. Learned counsel for the respondent submitted that on 05.08.2024, the Adjudicating Authority was informed about the CIRP of the appellant. The order of the Adjudicating Authority dated 05.08.2024 is as follows:

“Heard Mr. Mast Ram Chechi, PCS appearing for the petitioner. Mr. Mohd. Bilal, Adv. appearing for the Respondent. It is submitted by Mr. Mast Ram Chechi, PCS that Petitioner has undergone CIRP in CP No. (IB) – 133/CHD/HP/2023 (Punjab National Bank V/s M/s

Sturdy Industries Ltd.) by order of NCLT Chandigarh Bench. Mr. Mast Ram Chechi, PCS further submits that authorization letter has been filed by him by e-filing by him by e-filing vide Diary No. 0811101005352021/6. Pleadings are complete in this matter.”

6. Learned counsel submitted that the said authorization letter stated that the RP continues to be represented by Mr. Mast Ram Chechi, PCS, and sought time to ascertain the authorization letter.

List this appeal on **29th May, 2026.**

Justice N. Seshasayee
Member (Judicial)

Arun Baroka
Member (Technical)

Indevar Pandey
Member (Technical)

rashmi/beena