

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

ITEM No2- IA 372 of 2022
in
CP(IB) 380 of 2020

Order under Section 9 IBC

IN THE MATTER OF:

Kilburn Engineering Ltd
V/s
DCW Ltd

.....Applicant

.....Respondent

Order delivered on ..25/04/2022

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)
Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Gunjan Chaubey
For the Respondent : Mr. Saurabh Soparkar, Sr. Adv.
IRP in Person : Mr. Rajesh Kumar Mittal

ORDER

IA 372 of 2022

Application is filed by IRP Mr, Rajesh Kumar Mittal under Section 12A seeking to withdraw the IB Application 380 of 2020. CIRP was initiated vide order dated 31.03.2022. Copy of order is annexed. Form FA, consent of the applicant is dated 08.04.2022 and copy of consent terms duly executed between the parties is also dated 08.04.2022. It is seen that within 8 days of passing CIRP order, parties have amicably settled the matter. It seems that corporate debtor was waiting for the order taking a chance, for rejection but settled on admission, within a week, and payment made. In order to discourage such tendency of the corporate debtor, we impose cost of Rs.10,000/- to be paid by the corporate debtor to the Prime Minister Relief Fund.

Mr. Rajesh Kumar Mittal, IRP in person makes statement that no dues are payable with respect to CIRP cost and fees. IRP to hand over all assets and documents, if received from the corporate debtor back to the management of the corporate debtor within 5 days. Application is allowed and disposed of. Thereby, IB Application 380 of 2020 stands disposed of as withdrawn.

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

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**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**