

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, NATIONAL COMPANY LAW TRIBUNAL, HELD ON 21.09.2020 AT 10.30 AM. THROUGH VIDEO CONFERENCING:

PRESENT: SHRI R. VARADHARAJAN, MEMBER-JUDICIAL
SHRI ANIL KUMAR B, MEMBER - TECHNICAL

APPLICATION NUMBER :
PETITION NUMBER : IBA/1112/2019
NAME OF THE PETITIONER(S) : ONWARD CHEMICALS PVT LTD
NAME OF THE RESPONDENT(S) : STAR THERMOPLASTIC ROAD MARKINGS PVT LTD
UNDER SECTION : SEC 9 OF IBC

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
		REPRESENTATION BY WHOM	

ORDER

Learned Counsel for Petitioner Mr. B. Sarath Babu, Advocate and Learned Counsel for Respondent Ms. Rathi Devi, Advocate are present through video conferencing mode.

Pursuant to the Statement made by Learned Counsel for the Respondent during the last hearing, Learned Counsel for Respondent represents that an affidavit has been filed by Mr. Sivaraman, Managing Director of the Corporate Debtor and the same has been received by this Tribunal on 21.09.2020 through e-mail. Learned Counsel for the Petitioner represents that in terms of the statements made in paragraph '9' of the said Affidavit, this Petition may be disposed of. The said paragraph '9' of the affidavit reads as follows:-

"However, the Petitioner herein has come up for the settlement that if the Respondent herein has not claimed the GST refund from the GST department, the Petitioner has inclined to claim the said GST refund from the GST department and therefore there shall not be any outstanding amount pending from the respondent herein to the Petitioner."

Since undertaking has been given that GST Refund will not be claimed by the Corporate Debtor in relation to the payment made towards GST in a sum of Rs.1,31,879/- to which Learned Counsel for the Petitioner on behalf of the Petitioner represents that there is no due in relation to the other claims, this Petition stands **disposed of as dismissed as withdrawn.**

-SD-

(ANIL KUMAR B)
MEMBER (TECHNICAL)

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-SD-

(R.VARADHARAJAN)
MEMBER (JUDICIAL)

MEMBER (JUDICIAL)