

BENCH-I

107

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

CP(IB)No.1605/KB/2018
CA(IB)34/KB/2020

Present: 1. Hon'ble Member (J), Shri Jinan K.R.
2. Hon'ble Member (T), Shri Harish Chander Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 7th January, 2020, At 10:30 A.M

Name of the Company		Dr. SC Ahuja & Anr. Vs. Kashish Developers Ltd.	
Under Section		7 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1)	SHOURJO MUKHERJEE, ADV	Financial C	[Signature]
	ISHWARUP KERRYA, ADV	Applicants	7/1/2020

1)	Vidushi Chokhani, Adv	For Corporate Debtor	[Signature]
2)	Vikram Wadhwa, Adv		7/1/2020

1)	Akash Dutta, Adv.	CIRP	[Signature]
			7/1/2020

ORDER

Ld. Counsel for the IRP appears. Ld. Counsel for the Financial Creditor appears. Ld. Counsel for the Corporate Debtor appears.

CA(IB) No. 34/KB/2020 is an application filed by the applicant/financial creditor under Rule 11 of the NCLT Rules for withdrawal of the CP as settlement has been made. It is brought to our notice that the Corporate Debtor has challenged the order of admission before the Hon'ble NCLAT being CA(AT)(Insolvency) No. 1291 of 2019. It is submitted that vide today's order the appeal has been withdrawn. We are recording the submission of the Ld. Counsel for the Corporate Debtor. Hence, there

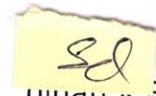
is no impediment to withdraw the CP and this application is liable to be allowed.

In the meanwhile, Ld. Counsel for the IRP submits that costs and fees of the IRP is to be paid. Ld. Counsel for the Corporate Debtor undertakes to pay the costs and fees of the IRP. Recording the submissions of the Ld. Counsel for the Corporate Debtor, the application is allowed. CA is disposed of.

Accordingly, CP is disposed of. File is consigned to records.



(Harish Chander Suri)
Member (T)



(Jitendra K.R.)
Member (J)