



DIVISION BENCH  
COURT - II

S-1

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. (IB)/82(KB)2020  
IA(I.B.C)/1104(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 18<sup>TH</sup> OCTOBER, 2022, 02:00 P.M**

IN THE MATTER OF	<b>COSMOS LIFTERS &amp; TECHNICAL SERVICES PRIVATE LIMITED VS HINDUSTHAN FACING INDUSTRY PRIVATE LIMITED</b>
UNDER SECTION	<b>IBC UNDER SEC 9</b>

**Counsel/ Authorised Representative appeared through physically/Video Conference:**

Ms Labanyasree Sinha, Adv.           ] For IRP  
Mr. Anubrata Ganguly,IRP           ] in person

**ORDER**

1. Ld. Counsel for the IRP present. IRP present in person.
2. **IA(IBC)1104/KB/2022**- This IA has been filed under Regulation 30A for withdrawal of CIRP process initiated by this Adjudicating Authority on 6<sup>th</sup> September, 2022 in view of the settlement arrived at between the parties i.e. Operational Creditor and Corporate Debtor on 21<sup>st</sup> September, 2022.
3. It is stated in paragraph '7' of this IA, that the settlement was arrived at between the parties before the constitution of CoC and therefore the CoC was not constituted.
4. This application is duly supported by an affidavit filed by IRP appointed by the Adjudicating Authority.
5. We allow this application in view of the above position recorded hereinabove and as a consequence CIRP initiated vide order dated 6<sup>th</sup> September, 2022 is recalled. Moratorium under section 14 shall cease to operate.



6. It is further informed that there are no costs of IRP pending.
7. It is stated that after the appointment of IRP that no documents have been taken over by the IRP from the suspended directors.
8. The board of directors is restored to its original position as existing before the CIRP intervened.
9. With the above directions, IA/IBC/1104/KB/2022 is allowed and disposed of and consequently, CP (IB)/82/(KB) 2020 is also disposed of.
10. File be consigned to record.

**Balraj Joshi**  
**Member (Technical)**

**Rohit Kapoor**  
**Member (Judicial)**