

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT-II)

Item No. 108
(IB)-2040(ND)2019
IA-5627/2021

IN THE MATTER OF:

M/s. Indiabulls Distribution Services Limited ... **Applicant/Petitioner**

Versus

M/s. Apex Dream Homes Private Limited ... **Respondent**

Under Section: 9 of IBC, 2016

Order delivered on 08.12.2021

CORAM:

SHRI. ABNI RANJAN KUMAR SINHA,
HON'BLE MEMBER (J)

SHRI. L. N. GUPTA,
HON'BLE MEMBER (T)

PRESENT:

Shailender Kumar Advocate for Operational creditor
Mrinal Harsh Vardhan, Advocate for corporate debtor
Mr. Manish Mahlotra for IRP Mr. Kamlesh Kumar Gupta

ORDER

IA-5627/2021- By filing this application, the applicant has prayed to withdraw the application (IB)-2040(ND)2019, in terms of the settlement arrived at between the parties and Form FA submitted by the Operational Creditor.

Heard the Ld. Counsel for the IRP as well as the Operational Creditor and perused the averments made in the application. The Ld. Counsel appearing for the IRP submits that the COC has not been constituted and the IRP received Form FA and his fee & cost.

Considering the submissions, we hereby allow the prayer.

(IB)-2040(ND)2019 is Dismissed as Withdrawn.

With this, the present IA-5627/2021 stands allowed.

— Sd —

(L. N. GUPTA)
MEMBER (T)

— Sd —

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)