

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-509
IB-296/ND/2020
IA/1043/2021

IN THE MATTER OF:

Ajay Kumar Singh

Vs.

SARE Homes Project Services Pvt Ltd

....Applicant

.....Respondent

SECTION

U/s 9 IBC

Order delivered on 26.05.2022

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI HEMANT KUMAR SARANGI,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Aditya Gauri, Dhananjaya Sud, Amar Vivek, Shalya
Agarwal, Chaitanya Bansal, Advs. For IRP

For the Respondent

: Mr. Ruchin Midha, Advocate for Director of
Suspended Board

ORDER

IA/1043/2021:-

By filing this application, the Applicant has prayed to withdraw the CP (IB)-296/2020.

Heard the Ld. Counsel appearing for the Applicant and perused the averments made in the application.

Ld. Counsel for the Applicant submits that the IRP has received the Form-FA duly signed by the Applicant on 22.02.2021. He further submits that the IRP has received the fee and cost.

He further submitted that earlier the application was rejected and against that an appeal was preferred being Company Appeal (Insolvency) (IB) 449/2021, which was allowed and the order passed by this Bench was set aside.



Considering the submissions and averments made in the application and the order passed in Company Appeal No. 449/2021 by the Hon'ble NCLAT, we hereby allow the prayer of the Applicant to withdraw the Company Petition No. IB-296/ND/2020, in terms of Form-FA submitted by the Applicant. Accordingly, the CP (IB) No. 296/2020 is **dismissed as withdrawn**. However, the creditors, who have filed their claim but not considered have right to file a fresh application, in accordance with the provisions of law.

With this order, the present IA i.e. IA/1043/2021 **stands disposed of**.

Sd/-

(HEMANT KUMAR SARANGI)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

Khushboo