

DIVISION BENCH

ITEM NO. 5

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

**IA No.422/2022, IA No.402/2022 & IA No.404/2022
IN CP (IB) No.62/ALD/2021**

CORAM:

- 1. SHRI HARNAM SINGH THAKUR,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI SUBRATA KUMAR DASH,
HON'BLE MEMBER (TECHNICAL)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 21st November,
2022, 12:30 pm**

NAME OF THE COMPANY	BALAJI ENTERPRISES V/S C.S. INFRACONSTRUCTION LTD
UNDER SECTION	9 IBC (IN CIRP)

COUNSEL APPEARED THROUGH VIDEO CONFERENCING:

Sh. Krishna Dev Vyas, Adv. : *For the Applicant in IA No.422/2022 & IA
No.402/2022*

None : *IA No.404/2022*

ORDER

IA No.402/2022

IA No.402/2022 is an application to place on record the Form-2 submitted by the RP and vakalatnama filed on behalf of IRP. Same is taken on record.

Accordingly, IA No.402/2022 stands disposed of.

IA No.422/2022 & IA No.404/2022

IA No.422/2022 has been filed under Section 12A of IBC & Rule 11 of NCLT Rules, 2016 and Regulation 30A of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 for withdrawal of CIRP against the Corporate Debtor by the IRP. CoC has not been constituted so far and Form-FA has been filed.

It is stated by the learned counsel for the IRP that the parties have settled the matter. The settlement agreement is dated 12th November, 2022 and the same is the date of Form-FA. Since the parties have arrived at settlement, therefore keeping in

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view the relevant provisions under Section 12A of IBC & Rule 11 of NCLT Rules, 2016 and Regulation 30A of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the present application (IA No.422/2022) is allowed and disposed of. The Corporate Debtor is released from rigours of the CIRP and IRP is discharged. The dues have been paid to the IRP. The main CP (IB) No.62/ALD/2021 is disposed of accordingly.

Since, the IA No.422/2022 is allowed thus, IA No.404/2022 is rendered infructuous and disposed of.

—Sd—

(Subrata Kumar Dash)
Member (Technical)

21st November, 2022

Md. Zaid
(Stenographer)

—Sd—

(Harnam Singh Thakur)
Member (Judicial)