

**NATIONAL COMPANY LAW TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI**

**ORDER SHEET OF THE HEARING ON 12<sup>TH</sup> JANUARY, 2024, 10:30 A.M.**

IA (IBC)/1/GB/2024  
CP (IB)/16/GB/2023

**Present: 1. Hon'ble Member (Judicial), Shri H.V. Subba Rao  
2. Hon'ble Member (Technical), Shri Satya Ranjan Prasad**

Name of the Company	Cipaca Healthcare Services pvt. Ltd. (OC) Vs Unakoti Nursing Care Pvt. Ltd. (CD)
Under Section	U/s 12A of IBC, 2016

For Petitioner (s) : Mr. Amit Pareek, IRP

For Respondent (s) :

**ORDER**

1. Mr. Amit Pareek, IRP is present in person. The above application has been filed by the IRP, Mr. Amit Pareek, under Section 12A of Insolvency & Bankruptcy Code, 2016 r/w Rule 11 of the NCLT rules, 2016 & Regulation 30A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, seeking withdrawal of the main Company Petition No. 16/GB/2023 in view of the settlement agreement dated 26.12.2023 entered into between the Operational Creditor and the Corporate Debtor for an amount of Rs. 58,00,000 (Rs. Fifty-Eight Lakh Only) including the CIRP cost. Copy of the Settlement Agreement has been annexed with this application
2. The Applicant submits that the Operational Creditor has submitted Form-FA dated 29.12.2023 for withdrawal of CIRP process. He further submits that Committee of Creditors has not been formed.
3. After hearing the submissions made by the IRP and upon perusing the material available on record, this Bench is of the view that the above application deserves to be allowed.

Accordingly, the IA No. 01/GB/2024 is allowed and C.P. No. 16/GB/2023 stands disposed of by withdrawing the CIRP order dated 11.12.2023 passed by this Bench and also by releasing the Corporate Debtor from all rigors of moratorium.

4. In view of the disposal of the above Company Petition, all the pending IA's and MA's, if any, shall also stand disposed of.
5. Certified Copy of this order may be issued, if applied for, upon compliance of all requisite formalities.
6. File be consigned to records.

Sd/-

**Satya Ranjan Prasad**  
**Member (Technical)**

Sd/-

**H.V. Subba Rao**  
**Member (Judicial)**