



NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

4. I.A. 2408/2022

IN

C.P.(IB)-3944(MB)/2018

CORAM: SHRI H. V. SUBBA RAO, MEMBER (J)
SMT ANURADHA SANJAY BHATIA, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **05.09.2022**

NAME OF THE PARTIES: Amylo Dex Pvt Ltd

V/s

Atharva Corrugations Pvt Ltd

SECTION 9 OF INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

I.A. 2408/2022

Mr. Ashwin Bhavanji Shah, Interim Resolution Professional along with his
Adv. Sonam Singh is present through virtual hearing.

The above I.A is filed by the IRP under Section 12A of the Insolvency and
Bankruptcy Code for withdrawal of the CIRP order dated 20.07.2022 passed
against the Corporate Debtor. The counsel appearing for the Interim
Resolution Professional submits that the above matter was settled between
the parties by entering into consent terms dated 24.08.2022 even before
constituting COC by the IRP. Counsel appearing for the IRP further mentioned
that the Corporate Debtor has paid a lump sum amount of Rs. 19,18,963/-
as full and final settlement. Since COC is not constituted, the approval from COC



does not arise. The Interim Resolution Professional also confirmed that he has received the CIRP costs including his fee.

In view of the above facts and circumstances, this Bench feels that it is appropriate to allow the above application filed by RP. Accordingly, the above I.A. no. 2408/2022 is allowed and the CIRP order dated 20.07.2022 passed against the Corporate Debtor stands withdrawn by relieving the Corporate Debtor from all the rigorous of moratorium.

In view of withdrawal of the main Company Petition, all pending I.A's and M.A's if any also shall stands **disposed of**.

Sd/-
ANURADHA SANJAY BHATIA
Member (Technical)
//rks//

Sd/-
H. V. SUBBA RAO
Member (Judicial)