

NATIONAL COMPANY LAW TRIBUNAL
SINGLE BENCH
CHENNAI

(38)

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 10.30 AM ON 14.06.2018

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER - JUDICIAL

APPLICATION NUMBER : MA/157/IB/2018
PETITION NUMBER : CP/157/(IB)/2017
NAME OF THE PETITIONER(S) : MMC DOORTECH SERVICE PVT LTD
NAME OF THE RESPONDENT(S) : DISHA INTERIORS PVT LTD
UNDER SECTION : 9 RULE 6

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
1.	K. GAURAV KUMAR	PLS for petitioner	
2.	V. SWAMINATHAN	IRP.	V. Swaminathan
3.	S. EELANGO	for DISHA Corporate Director	

ORDER

The Corporate Debtor is being represented by Mr. S. Elango, who has filed MA/157/IB/2018 in CP/157/IB/2017 for recalling the order dated 30.05.2018. Representative for the Operational Creditor/Applicant present.

The IRP Mr. Swaminathan present. This Application has been filed by the Corporate Debtor with the prayer to recall the order dated 30.05.2018, on the ground that the Corporate Debtor has settled the matter by making full and final payment of the outstanding debt to the Operational Creditor and there remains nothing.

In the light of the settlement two affidavits have been placed on record. One is pertaining to the undertaking given by one of the Directors of the Corporate Debtor viz., Mr. Mani Rajkumar that the appeal filed before the NCLAT shall be withdrawn by the Corporate Debtor and shall not be proceeded with. The affidavit is taken on record. The other affidavit has also been filed by the same Director on behalf of the Corporate Debtor that no other Creditor has made any claim.

The IRP in person present. He has filed the report stating that he has not made any public announcement and the matter has been settled between the Operational Creditor and the Corporate Debtor. The IRP has also submitted that in the facts and circumstances of the case, there may not be any requirement to proceed with the CIRP against the Corporate Debtor.

In the light of the facts and circumstances and the documents placed on record, the order dated 30.05.2018 is hereby recalled. The Corporate Debtor is released from the CIR process. The moratorium stands lifted. The Corporate Debtor is free to carry

on its business, as usual. The Appeal filed before the NCLAT shall be withdrawn by the Company.

Accordingly, MA/157/IB/2018 filed in CP/157/IB/2017 stands **disposed of**. The CP/157/IB/2017 is also **dismissed as withdrawn**.


(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)

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