

**BEFORE THE ADJUDICATING AUTHORITY
NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD
Court 2**

IA 237 of 2020 in C.P.(I.B) No. 42/NCLT/AHM/2020

**Coram: HON'BLE Ms. MANORAMA KUMARI, MEMBER JUDICIAL
HON'BLE Mr. CHOCKALINGAM THIRUNAVUKKARASU, MEMBER TECHNICAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 28.05.2020**

Name of the Company: Morden Metaalics Pvt Ltd
V/s
Gajanand Creation Pvt Ltd

Section : Section 60(5) r.w Section 12A IBC , 2016 Reg 30A &
Rule 11 of NCLT, 2016

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.				
2.				

**ORDER
(through video conferencing)**

PCS Mr. Dhiraj Garg is present on behalf of the Corporate Debtor.
PCS Mr. Vinod Kumar S Shah is present for the Applicant.


The instant application is filed under section 60(5) r.w. 12A of the IB Code r.w. Regulation 30A & Rule 11 of NCLT Rules, 2016 for withdrawal of the C.P. (I.B) No. 42/2020, admitted on 17.03.2020. The learned PCS on behalf of the Operational Creditor submitted that the Corporate Debtor has paid the due amount to the Operational Creditor. In view of that, the Petitioner intends to withdraw the C.P. (I.B) No. 42/2020. It is further submitted that the COC is not yet constituted.

Along with the instant application, "no objection" certificate from the IRP, Mr. Kailash T Shah is annexed as **Annexure -B** at page no.- 24, who has given his consent to withdraw the application so filed under section-9 of the IB Code.

In view of the above, the IA is allowed. The Corporate Debtor is free from the rigour of the moratorium.

The Operational Creditor is hereby directed to pay the dues/remuneration and expenditure incurred, if any, by the IRP.


CHOCKALINGAM THIRUNAVUKKARASU
MEMBER TECHNICAL


MANORAMA KUMARI
MEMBER JUDICIAL

Dated this the 28th day of May, 2020