

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**

**COURT-VI**

**Item No. 201  
IB-345/ND/2021**

**IN THE MATTER OF:**

**M/s. Hiconhera Buildtech Pvt. Ltd.**

**....PETITIONER**

**Vs.**

**M/s. Emaar India Ltd.**

**....RESPONDENT**

**Section**

**Under Section 9 of IBC**

**Order delivered on 30.07.2021  
(Virtual Hearing)**

**Coram:**

**DR. P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)**

**SHRI HEMANT KUMAR SARANGI, HON'BLE MEMBER (TECHNICAL)**

**For the Petitioner/Operational creditor :Mr. Sanket Gupta, Advocate.**

**For the Respondent/Corporate debtor :Mr. Divyam Agarwal and Ms.  
Pallavi Kumar, Advocates.**

**ORDER**

**IA No. 3266 of 2021.**

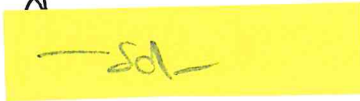
This is an application under Section 60(5) of IB, Code, 2016 read with Rule 11 of NCLT Rules, 2016 for withdrawal of the application under section 9 of IBC, 2016. Counsels for both the sides are present. We have heard by the Counsels for both the parties. The Counsels for both the parties have submitted that the matter is settled outside the Tribunal, therefore withdrawal application has been filed in the matter. In the application, the operational creditor has prayed for withdrawal of the company petition bearing IB No. 345/ND/2021 against the corporate debtor in terms of the settlement

(Meenu)



agreement dated 23.07.2021 with liberty to the operational creditor to revive the proceeding before National Company Law Tribunal in case any breach of the settlement agreement dated 23.07.2021. The counsel for the corporate debtor has consented for the same, therefore, this petition is dismissed as withdrawn in terms of the agreement with liberty to revive the same. The above said application is allowed. The case papers/folders may be sent to record room.

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**(Hemant Kumar Sarangi)**  
**Member (T)**



**(P.S.N. Prasad)**  
**Member (J)**

(Meenu)