



**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-III**

**Item No. 315**  
IB-757(ND)/2020

**IN THE MATTER OF:**

Vani Advertising.

**.... APPLICANT/PETITIONER**

**Vs.**

M/s. Santasha Real Estate Private Limited

**.... RESPONDENT**

**U/s 9 of IBC, 2016**

**Order delivered on 02.01.2024**

**CORAM:**

**SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)**  
**SHRI ATUL CHATURVEDI HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the CD : Ms. Santasha, Ms. Varsha, Advs.

For the OC : Mr. Namit Saxena, Ms. Amrita Sarkar, Advs.

For the Respondent :

**ORDER**

On 23.02.2023, the following order has been passed:-

*“Ld. Counsel representing the IRP in person submits that CIRP cost/IRP fees had not been paid for which she undertakes to send a communication to the Operational Creditor and Corporate Debtor giving details of the fees with supporting documents within a period of one week. The same would be decided within a period of two weeks. In case, the IRP is still aggrieved, she would be at liberty to move an appropriate IA before this Adjudicating Authority. It is directed to send the communication to the Operational Creditor as well as to the Corporate Debtor regarding their liability of the outstanding fees to be paid to the Applicant on pro-rata basis.”*



Ld. Counsel appearing for the Operational Creditor has brought to our notice that the Hon'ble NCLAT vide order dated 22.07.2022 has recorded that a settlement has been arrived at between the parties and remanded the matter back to this Adjudicating Authority to decide the issue of withdrawal of the application. However, no application seeking withdrawal of the matter has been filed by the IRP till date. Therefore, we are constrained to observe that the IRP has been negligent in his duty and in complying with the Courts orders led a copy of this order was be forwarded to IBBI for necessary action.

Keeping in view the facts and circumstances of the case, we granted liberty Operational Creditor to move an appropriate application seeking withdrawal of the matter.

List the matter on **25.01.2024**.

**-Sd-**  
**(ATUL CHATURVEDI)**  
**MEMBER (TECHNICAL)**

Prakash Dubey

**-Sd-**  
**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**