

IN THE NATIONAL COMPANY LAW TRIBUNAL
COURT NO. IV, NEW DELHI

Item No. 2

CA No. 63/2019 (IB)-457/ND/2018

Under Section: 9 of IBC Code, 2016.

In the matter of:

M/s Ashtech Buildpro India Pvt. Ltd.

.....Applicant

Vs.

M/s Ambienco Projects and Infrastructure Pvt. Ltd.

.....Respondent

Order delivered on 25.02.2019

CORAM

**DR. DEEPTI MUKESH,
HON'BLE MEMBER (J)**

For the Applicant

: Mr. Sarthak Maggon, Adv.
Ms. Tanya Chaudhary, AR

For the IRP

: Mr. Nitin Kaushik, Adv.

ORDER

CA No. 63/2019 is filed jointly by the parties for withdrawal of present application IB-457/ND/2018 wherein the order initiating CIRP was passed on 12.02.2019 against the Corporate Debtor. It is submitted by the learned counsel as well as the counsel for IRP that COC is not yet constituted and the parties have settled and executed memorandum of settlement duly executed between the parties on 19.02.2019 which is placed on

record. Present Application is covered under judgment passed by the Hon'ble Supreme Court in Swiss Ribbons Case. Memorandum of settlement is taken on record. Application CA No. 63/2019 is allowed in terms of prayer 'A'. Thereby IB-457/ND/2018 stands to be withdrawn with the direction to IRP that he has been discharged to discontinue as IRP of the Corporate Debtor and further directed to hand over the documents and/or any asset received from the Corporate Debtor, if any, within one week from the order.

Sd/-

(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)

Mukesh