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NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CP (IB) No. 1141/KB/2018
CA(IB) No. 1524/KB/2019

Present: 1. Hon'ble Member (J), Shri Jinan K.R.

2. Hon'ble Member (T), Shri Harish Chander Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 18th November 2019, 10:30 A.M

Name of the Company		Naresh Kr. & Co. Pvt. Ltd. -Vs- Jharkhand State Mineral Development Corporation Ltd.	
Under Section		9 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

(1) Ms. ~~MANJU~~ MANJU BHUTERIA, Adv }
 (2) Ms. IRAM HASSAN, Adv } For Operational Creditor
 (3) Mr. DEBAYAN SEN, Adv }
 Ghosh
 18/11/19.

(1) JAYALIPi DATTa adv } for ERP
 Jayalipi
 18/11/19

1. Rudranan Bhattacharyya, }
 2. Souvik Mazumdar } Adv. for Suspended
 3. Sourojit Dasgupta } Board of Directors
 S. Mazumdar,
 18.11.2019.

ORDER

Ld. Counsel for the IRP appears. She filed the Vakalatnama on behalf of the IRP. It is recorded.

Ld. Counsel for the Operational Creditor appears. Ld. Counsel for the suspended Board of Directors of the Corporate Debtor appears.

CA(IB) No. 1524/KB/2019 is filed by the Operational Creditor for withdrawal of the CP, wherein CIRP has already been initiated. It is submitted by the Ld. Counsel for the applicant/Operational Creditor that

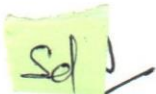
the matter was settled amicably between the Operational Creditor and the Corporate Debtor and upon issuance of public announcement no claim has been received from anybody. Ld. Counsel for the Operational Creditor submits that there is no claim with the IRP and the IRP fees and costs has already been paid.

Having satisfied that the matter was settled out of the Tribunal, this application deserves consideration. Therefore, the application is allowed.

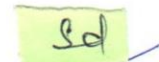
In the meanwhile, vide order dated 25/10/2019 the Operational Creditor was directed to deposit Rs.2,00,000/- in the Escrow Account maintained in SBI for the purpose of meeting the preliminary expenses and the same was duly complied with. As the matter was settled and the IRP's fees and costs has already been paid, Registry is directed to refund the amount to the Operational Creditor upon proper receipt.

CA is disposed of accordingly. CP is also disposed of as withdrawn vide order in CA (IB) No. 1524/KB/2019.

File is consigned to record.



(Harish Chander Suri)
Member (T)



(Jinan K.R.)
Member (J)