

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-102

IB-618/ND/2020

New IA/1241/2022

IN THE MATTER OF:

Vikash Shuttering Store Pvt Ltd.

Vs.

Bhavaytech Infra Project pvt Ltd.

....Applicant

.....Respondent

SECTION

U/s 12A

Order delivered on 21.03.2022

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

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

PRESENT:

For the Applicant : Adv. Nikunj Hurria

For the IRP : Adv Aishwarya

ORDER

IA/1241/2022:-

By filing this application, the Applicant/IRP has prayed for withdrawal of the CP (IB) 618/ND/2020 in terms of the Form- FA received from the Operational Creditor. Heard, the Ld. Counsel appearing for the applicant and perused the averments made in the application. Form- FA which is placed at Page no. 43 of this application. Ld. Counsel appearing for the applicant submits that the IRP has not received any claim and i.e. the reason, the CoC is not constituted, as yet. She further submits that Regulation 30A says before the Constitution of CoC, the withdrawal may be filed, through the IRP. She further submits that the IRP has already received the fees and expenses. Considering the submissions, the CoC is not constituted, we allow the applicant to withdrawn the (IB) 618/ND/2020. Accordingly, (IB) 618/ND/2020 is dismissed as withdrawn.

With this, the IA stands disposed of.

Sd/-

(HEMANT KUMAR SARANGI)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMARSINHA)
MEMBER (J)