

DIVISION BENCH  
COURT - I

M1

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

IA(IBC)No. 547/KB/2022  
C.P.(IB) 279(KB)2020

**CORAM: 1. HON'BLE MEMBER(J), SHRI RAJASEKHAR V.K.  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 15<sup>TH</sup> JUNE, 2022, 10:30 A.M**

IN THE MATTER OF	CBRE South Asia Pvt. Ltd. Vs. MKHS Realty LLP
UNDER SECTION	<b>Section 9</b>

**Appearances (via video conference)/Physically**

**For Operational Creditor**

1. Rishad Medora
2. Soumavo Mukherjee

**For Corporate Debtor**

3. Sankarsan Sarkar
4. Abhishek Sikdar

**ORDER**

**I.A. NO.: 547/KB/2022**

1. This matter is not on Board today. It is taken on Board upon being mentioned.
2. This matter was pronounced on 24.05.2022 vide which the Corporate Debtor viz. MKHS Realty LLP was admitted to CIRP and Ms. Manisha Biyani, was appointed as an IRP.
3. Today, the Ld. Counsel for the Operational Creditor and Corporate Debtor have mentioned that settlement has been arrived at between the parties, following which:
  - a. The Principal amount of Rs. 17, 40,000/- and interest of Rs.12, 52,800/- has been fully paid by way of demand draft.
  - b. The settlement agreement along with copies of the drafts have been presented by the Ld. Counsel for the Operational Creditor, and the copy of the Demand drafts amounting to Rs. 16,40,000/- and Rs.10,53,520/- have also been presented . This is arrived at after deduction of TDS.

- c. Further in terms of the directions imposing a cost of Rs. 2,00,000/- on the Corporate Debtor for wasting court's time on avoidable litigation, the same is reported to have been paid into Prime Minister's National Relief Fund . Proof of payment has also been presented today.
  - d. The CIRP initiated vide order dated 07.06.2022 is hereby recalled and the Corporate Debtor is freed from the rigours of the CIRP.
  - e. The Board of Directors of the Corporate Debtor is restored to its original position
  - f. The IRP is hereby directed to handover the Corporate Debtor and all its assets and documents back to the restored Board of Directors of the Corporate Debtor, under proper acknowledgement.
  - g. The IRP shall stand discharged from his role.
4. In view of the above, the IA is allowed and C.P.(IB) 279(KB)/2020 shall stand dismissed as withdrawn.
5. File be consigned to the record.

**Balraj Joshi**  
**Member (Technical)**

**Rajasekhar V.K.**  
**Member (Judicial)**