



**NATIONAL COMPANY LAW TRIBUNAL  
JAIPUR BENCH**  
*(through web-based video conferencing platform)*

Item No. 01  
IA No. 528/JPR/2022  
IA No. 599/JPR/2022  
CP No. (IB)- 293/9/JPR/2019  
Under Section 9 of IBC, 2016

**In the matter of:**

**Udai Kant Mishra Prop. Surya Properties and Investments**

**...Operational Creditor/Applicant**

**Versus**

**Golcha Buildtech Pvt. Ltd.**

**...Corporate Debtor/Respondent**

**Coram: HON'BLE MR. DEEP CHANDRA JOSHI, JUDICIAL MEMBER  
HON'BLE MR. PRASANTA KUMAR MOHANTY, TECHNICAL MEMBER**

**Present Through Video Conferencing: -**

For the Applicant : Anuroop Singhi, Adv.  
Aditya Vijay, Adv.  
For the Respondent : Nivedita R. Sarda, Adv.

**ORDER**

Heard Mr. Anuroop Singhi, Adv. appearing on behalf of the Petitioner/ Operational Creditor and Ms. Nivedita R. Sarda, Adv. for the Respondent/ Corporate Debtor. **IA No. 528/ JPR/2022** was filed by the Respondent/ Corporate Debtor with prayer that demand draft for a sum of Rs. 24,57,619/- which is attached with this application as annexure A-1, is taken on record and Company Petition (IB) No. 293/9/JPR/2019 filed by the Operational Creditor against the Corporate Debtor being against the very object of the Insolvency and Bankruptcy Code be dismissed.

Sd-

Sd-



Another **IA No. 599/JPR/2022** has been filed by the Respondent/ Corporate Debtor, praying that the Corporate Debtor be allowed to withdraw the **IA No. 528/ JPR/2022** and at the same time she also prayed that the Corporate Debtor be given liberty to withdraw the DD dated 20.10.2022 bearing No. 028588 amount of Rs. 24,57,619/- drawn in favour of the Operational Creditor/ Non-Applicant. It is also mentioned in the application that due to the amicable settlement reached between the parties, the Corporate Debtor wishes to withdraw this application.

Mr. Anuroop Singhi, Adv. appearing on behalf of the Petitioner/ Operational Creditor submits that as soon as the DD is handed over to the Petitioner/ Operational Creditor, the Petitioner will withdraw the CP No. (IB)-293/9/JPR/2019. In view of the above, learned counsel for the Respondent/ Corporate Debtor is permitted to withdraw the **IA No. 528/ JPR/2022**. Hence, IA Nos. 528 & 599/JPR/2022 stand disposed of accordingly.

Mr. Anuroop Singhi, Adv. appearing on behalf of the Petitioner/ Operational Creditor submits that due to amicable settlement arrived between the parties, he wishes to withdraw the main Petition. Permission granted. **CP No. (IB)- 293/9/JPR/2019** is dismissed as withdrawn.

In view of the settlement between the parties and submissions made by the learned counsel for the Respondent/ Corporate Debtor, Registry is directed to hand over the Demand Draft dated 20.10.2022 bearing No. 028588 amount of Rs.

Sd/-

Sd/-



24,57,619/- to the learned counsel for the Petitioner/ Operational Creditor who is present is person today and take receiving of the same.

Sd-

(Prasanta Kumar Mohanty)  
Technical Member

Sd-

(Deep Chandra Joshi)  
Judicial Member

November 28, 2022