

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH**

C.P.(IB)No.312/BB/2019  
U/s 9 of the IBC, 2016  
R/w Rule 6 of the I&B(AAA) Rules, 2016

**In the matter of:**

**Nebula Technologies**

966, 18<sup>th</sup> B Cross, 2<sup>nd</sup> Main,  
Ideal Home Township,  
Rejarajeshwari Nagar,  
Bengaluru- 560 098.

- Petitioner/Operational Creditor

**Versus**

**Treistek Technologies LLP**

J.S. Estate, #201, 6<sup>th</sup> Main, 3<sup>rd</sup> Floor,  
Hoyasala Nagar, Ramamurthy Nagar  
Bangalore – 560 016.

- Respondent/Corporate Debtor

**Date of Order: 27<sup>th</sup> September, 2019**

**Coram:** 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)  
2. Hon'ble Dr. Ashok Kumar Mishra, Member (Technical)

**Parties/Counsels Present:**

For the Petitioner : Shri Ajai P. Johnson

For the Respondent : None

**ORDER**

**Per:** Dr. Ashok Kumar Mishra, Member (T)

1. C.P.(IB)No.312/BB/2019 is filed by Nebula Technologies (hereinafter referred to as 'Petitioner/Operational Creditor') U/s 9 of the IBC, 2016, R/w Rule 6 of the I&B(AAA) Rules, 2016, by inter alia seeking to initiate the Corporate Insolvency Resolution Process (CIRP) in respect of Treistek Technologies LLP (hereinafter referred to as 'Corporate Debtor/Respondent') on the ground that the Corporate Debtor has committed a default of Rs.25,83,650/- (Rupees Twenty Five Lakhs Eighty Three Thousand Six Hundred and Fifty Only).

2. The case is listed for admission on various dates viz. 20.09.2019, 26.09.2019 & 27.09.2019, and it was adjourned on these dates at the request of party, on one ground, or the other.
3. Heard Shri Ajai P. Johnson, learned Proxy Counsel for the Petitioner. We have carefully perused the pleadings of the party and provisions of the Code.
4. The Learned Proxy Counsel for the Petitioner prayed the Adjudicating Authority to permit the Petitioner to withdraw the petition with a liberty to file fresh Company Petition, in case the Petitioner is aggrieved by any cause of action in the future.
5. The learned Proxy Counsel for the Petitioner has filed a Memo to Withdrawal dated 26.09.2019 (which is taken on record), which reads as under:

*“The Petitioner requests the leave of this Hon’ble Tribunal to withdraw the Insolvency Application filed under Section 9 of the Insolvency and Bankruptcy Code, 2016 with liberty to file fresh Petition.”*
6. Since the case is not yet admitted by the Adjudicating Authority, we are inclined to permit the Petitioner to withdraw the instant petition with liberty to file fresh Company Petition, in case the Petitioner is aggrieved by any cause of action in the future.
7. In the result, C.P.(IB)No.312/BB/2019 is disposed of as withdrawn in terms of Memo to Withdrawal dated 26.09.2019, with liberty to the Petitioner to file fresh Company Petition, in case the Petitioner is aggrieved by any cause of action in the future. No order as to costs.

  
**(ASHOK KUMAR MISHRA)**  
**MEMBER, TECHNICAL**

  
**(RAJESWARA RAO VITTANALA)**  
**MEMBER, JUDICIAL**