

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

Item No. 02
IA No. 592/JPR/2022
CP No. (IB)- 172/7/JPR/2019
Under Section 7 of IBC, 2016

In the matter of:

Amit Bhandari

...Financial Creditor/Applicant

Versus

Columbus Overseas LLP

...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 : Sakshi Jain, Adv.
Ankit Juneja, Adv.
Susshil Daga, Adv.
Akshita Koolwal, PCS
Deepak Arora, IRP

For the Respondent : Vartika Mehra, Adv.

ORDER

IA No. 592/JPR/2022:

This is an application filed under Section 12A of the Insolvency & Bankruptcy Code, 2016 read with Regulation 30A of Insolvency & Bankruptcy Board of India (Insolvency Resolution Process of Corporate Debtor) Regulations, 2016 and Rule 11 of NCLT Rules, 2016 seeking withdrawal of application filed under Section 7 of IBC, 2016.

Heard Mr. Susshil Daga, Adv. appearing on behalf of IRP. Mr. Deepak Arora, IRP is present in person. Ms. Sakshi Jain, learned counsel of one of the Financial Creditor opposes this application. Application filed under Section 7 of

Sd/-

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IBC, 2016 by the Applicant was admitted on 16.11.2022 and Mr. Deepak Arora was appointed as an IRP.

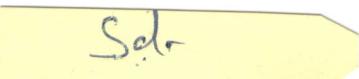
It has been submitted in the application that subsequent to the aforesaid order, the Corporate Debtor approached the Applicant/ Financial Creditor for settling the unpaid financial debt and pursuance to which the Financial Creditor and the Corporate Debtor arrived at an amicable settlement vide Settlement Agreement dated 19.11.2022. It is also submitted in the application that the Financial Creditor has sent Form FA dated 21.11.2022 to the IRP as per Regulation 30A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.

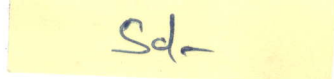
It is further submitted in the application that no claim till date is received by the IRP till after commencement of Corporate Insolvency Resolution Process against the Corporate Debtor.

In view of the above facts of the application and since there is no Constitution of CoC, the present application filed by the IRP is allowed and CP No. (IB)- 172/7/JPR/2019 is dismissed as withdrawn.

CP No. (IB)- 172/7/JPR/2019:

In view of the order passed in IA No. 592/JPR/2022, the CP is dismissed as withdrawn.


(Prasanta Kumar Mohanty)
Technical Member
November 22, 2022
HA


(Deep Chandra Joshi)
Judicial Member