

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

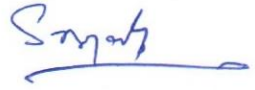
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CP(IB)No.1443/KB/2018  
CA(IB)No.1690/KB/2019

Present:1.Hon'ble Member(J), Shri Jinan K.R.  
2. Hon'ble Member (T), Shri Harish Chander Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 27<sup>th</sup> January, 2020,At 10:30 A.M

Name of the Company	Dena Bank Vs. M/s. Dilip Polyfab Pvt. Ltd.		
Under Section	7 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1	Sangri Kumar Gupta RP	} RP	
2	Rehul Anandya Adv		

**ORDER**

Ld. Resolution Professional with his Counsel appears.

CA(IB) No. 1690/KB/2019 is filed u/s. 12A of the Code praying for withdrawal of the CIRP proceeding which was approved by the CoC with 100% voting share. It appears to us that there was no settlement entered into in between the Financial Creditor and the Corporate Debtor but the reason for filing this application is that no assets are available or traced out for the purpose of Resolution or for the purpose of Liquidation. As per Master Data of the MCI portal the company is active but the directors are absconding and they are evading notice. In the aforesaid circumstances, Ld. Counsel for the Resolution Professional has sought permission to withdraw. However, Section 12A of the Code does not permit withdrawal without having settlement of the claim of the Financial Creditor. Having satisfied with the submissions that no purpose would be served if an order of liquidation is passed, we are hereby closing the proceeding. It is further submitted by he RP that his fees and resolution costs has already been paid. CP is disposed of accordingly.

File is consigned to record.

Sdt-

(Harish Chander Suri)  
Member (T)

Sdt-

(Jinan K.R.)  
Member (J)