



DIVISION BENCH

ITEM NO.6

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

**IA No.770/2025 IN RCP (IB) No.02/ALD/2024 IN
CP (IB) No.483/ALD/2019 (Dismissed as withdrawn vod 13.02.2024)**

CORAM:

- 1. SH. PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SH. ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 11th November, 2025

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	M/S GUPSHUP TECHNOLOGY INDIA PVT LTD V/S M/S NEXTGEN INFRATEL PVT LTD
UNDER SECTION	9 IBC (IN CIRP)

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Devul Dighe, Adv.

: For the Applicant

ORDER

IA No.770/2025

- 1.** This application has been filed *interalia* seeking the following prayers :-
 - a) This Hon'ble Tribunal may consider the facts and circumstances of the present case and be pleased to allow the present Interlocutory application filed under Section 12A of the Insolvency & Bankruptcy Code, 2016.*
 - b) This Hon'ble Tribunal may be pleased to allow withdrawal of the captioned Company Petition bearing No. 483/ALD/2019 filed against the Corporate Debtor and consequently, withdrawal of corporate insolvency resolution process against the Corporate Debtor Nextgen Infratel Private Limited.*
 - c) Any other relief or reliefs as the Hon'ble Tribunal may deem fit in the interest of justice.*
- 2.** Ld. Counsel representing the Applicant/ RP submits that as per the Resolution passed by the CoC, which comprises of mainly the Operational Creditor, who has filed Section 9 petition as well as the Income Tax Department, the Resolution has been passed to the extent of 100% voting

-Sd-

-Sd-



in favour of filing an application U/s 12A of the Code for withdrawal of the present CIRP. He also submits that the Form FA has been attached at page no.105 as Exhibit D and in terms of Agenda Item no.B3, which is given at page no.122, the Resolution to the above effect has already been passed, which is reproduced hereunder:-

B.3. TO DISCUSS, CONSIDER, AND APPROVE THE WITHDRAWAL OF THE CORPORATE INSOLVENCY RESOLUTION PROCESS (CIRP) APPLICATION ADMITTED UNDER THE INSOLVENCY AND BANKRUPTCY CODE, 2016.

Resolution:

To consider and if found fit, to pass with modification the following:

***"RESOLVED THAT* pursuant to Section 12A of the Insolvency and Bankruptcy Code, 2016 and Regulation 30A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the Committee of Creditors hereby approves the withdrawal of the Corporate Insolvency Resolution Process of Nextgen infratel Private Limited as initiated by Gupshup Technology India Private Limited ("Applicant").**

***RESOLVED FURTHER THAT* the Resolution Professional be and is hereby authorized to file the necessary application before the Hon'ble National Company Law Tribunal on behalf of the applicant for withdrawal of the CIRP, along with all requisite documents and affidavits.**

***RESOLVED FURTHER THAT* pursuant to regulation 30A of the CIRP Regulation the estimated expenses Rs. 3,00,000/- (Rupees Three Lakhs Only) shall constitute as the Insolvency Resolution Process cost of Nextgen Infratel Private Limited, out of that Rs. 1,00,000/- (Rupees One Lakhs Only) is already paid by the applicant. The remaining balance shall be paid by the applicant i.e. Gupshup Technology India Private Limited.**

***RESOLVED FURTHER THAT* the applicant shall deposit funds upfront towards the CIRP costs as determined by the RP before filing an withdrawal application by RP on behalf of applicant, and such amount shall form part of the Insolvency Resolution Process Cost."**

Voting Result:

*The voting conducted during the 2nd CoC Meeting resulted in the approval of the agenda item, with **100% of the votes cast in favor the proposed resolution.** Accordingly, the resolution stands **approved.** The same has been formally confirmed by the Resolution Professional based on the signed voting statements duly obtained from the CoC Members.*

-Sd-

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3. Ld. Counsel representing the Applicant/ RP also submits that the entire CIRP cost of Rs.3 Lakh has also since then been paid and nothing is outstanding to be paid towards the RP fees as well as the CIRP cost. He also further submits that there are no other applications pending in the present petition.
4. As per the requirement under Section 12A, the Resolution has to be passed to the extent of 90%, however in the present case, since both the members of the CoC have given their consent to the extent of 100%, therefore we deem it appropriate to allow the present application filed U/s 12A of the Code.
5. Accordingly, CIRP stands withdrawn and the present IA No.770/2025 also stands disposed off.
6. If any applications are pending, would also stand disposed off accordingly.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

11th November, 2025

Kavya Prakash Srivastava
(Stenographer)