

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

(33) MA 360/2019 & MA 1571/2019
IN C.P. (IB)-1923(MB)/2018

CORAM:

SHRI M.K.SHRAWAT
MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **01.05.2019**

NAME OF THE PARTIES:

Choonilal Mohanlal & CO.
V/s
Airfrost HVAC Systems Pvt. Ltd.

SECTION: 9 OF THE INSOLVENCY AND BANKRUPTCY CODE.

ORDER

1. The Learned Representatives of both sides present.
2. In respect of C.P. No. 1923/2018 an Application MA-1571/2019 submitted on 24.04.2019 moved from the side of the Operational Creditor CMC Metals Pvt. Ltd. seeking an Order u/s 12-A of the Code i.e. Withdrawal of the Application being the debt amount settled amongst the parties.
3. The Learned Counsel of the Applicant has informed that Two Cheques of ₹ 6,26,160/- in favour of CMC Metals dated 18.04.2019 is handed over in the Court to the Operational Creditor. There is one more Cheque of ₹ One Lakh in favour of CMC Metals towards the debt and other expenses.
4. The Learned IRP/Resolution Professional present. It is stated that Regulation 30-A of the Code is applicable in this case. Committee of Creditors has not been constituted and so far Information Memorandum has not been created. Therefore, there was no 'information - statement on Form-FA' and only on an Application under section 12 of the Code by the Applicant the Petition can be allowed to be Withdrawn. Hence he sought this permission.
5. The Petitioner undertakes to bear the CIRP costs for which IRP is present and he has given his consent. MA-1571/2019 allowed.
6. Petition stood Withdrawn, as a consequence disposed of. To be consigned to records.

01.05.2019. Aah=

Sd/-
M.K.SHRAWAT
Member (Judicial)