

**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 17.06.2020

THROUGH VIDEO CONFERENCING
CAUSE LIST

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittanala
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB)No. 214/BB/2018	For hearing CIRP	Sec 9 of I&B code 2016	M/s Datamatics Digital Ltd	Karan Malhotra, Advocate Kochhar & Co.,	M/s Sipani Online Pvt Ltd	Mr. Konduru Prasanth Raju IRP

ADVOCATE FOR PETITIONER/s:

Konduru Prasanth Raju, RP

ORDER

ADVOCATE FOR RESPONDENT/s:

Heard Mr. Konduru Prashanth Raju, Learned RP through Video Conference. CP (IB) No. 214/BB/2018 is dismissed as withdrawn by separate order.


MEMBER (T)


MEMBER (J)

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH

C.P(IB) No.214/BB/2018
U/s 9 of IBC, 2016
R/w Rule 6 of I&B (AAA) Rules, 2016

In the matter of

Mr. KonduruPrashanth Raju,
Resolution Professional of
Sipani Online Private Limited,
B-804, Shriram Suhaana Apartments,
Harohalli, Nagenahalli Gate,
Yelahanka,
Bengaluru – 560 064

...Applicant/RP

Date of Order: 17th June, 2020

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Shri Ashutosh Chandra, Member (Technical)

Parties/Counsels Present (through Video Conference):

For the Applicant/RP : Mr. KonduruPrashanth Raju, RP

ORDER

Per: Rajeswara Rao Vittanala, Member (J)

1. C.P.(IB)No.214/BB/2018 filed by M/s. Datamatics Digital Limited ('Petitioner/Corporate Applicant') under Section 9 of the IBC, 2016 r/w Rule 6 of the I&B (AAA) Rules, 2016, by inter alia seeking to initiate Corporate Insolvency Resolution Process (CIRP) in respect of Corporate Debtor, Sipani Online Private Limited, was admitted by the Adjudicating Authority, vide order dated 18.07.2019. During the course of CIRP, the Petitioner/Operational has filed I.A No. 400 of 2019 by inter alia seeking to permit it to withdraw the main CP and to set aside CIRP proceedings. However, the IA was disposed of as withdrawn by an order dated 05.09.2019 by granting liberty to the Party to file fresh Application in accordance with law.



2. Aggrieved by the said order, a Company Appeal (AT)(Insolvency) No. 1211 of 2019 was filed by M/s. Datamatics Digital Limited, before the Hon'ble NCLAT, which was disposed by an order dated 16.03.2020, by inter alia setting aside the impugned order of admission of case dated 18.07.2019, with all subsequent orders passed by it, and consequently declared that CP itself stands disposed of as withdrawn, by directing the this Authority to close the proceedings, for the reasons recorded therein. Therefore, nothing remains for adjudication in the main Company Petition except to close the CIRP proceedings in question.
3. In the light of above order passed by the Appellate Tribunal, the Applicant has filed Memo of withdrawal dated 11.06.2020, by inter alia stating that the directions passed by the Hon'ble NCLAT in the said Appeal were fully complied, which includes settlement of his fees.
4. In the result, **C.P (IB) No.214/BB/2018** is dismissed as withdrawn, and the status of Corporate Debtor is restored prior to institution of CIRP against it.

**(ASHUTOSH CHANDRA)
MEMBER, TECHNICAL**

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

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