



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

Item No. 02
IA No. 273/JPR/2023
CP No. (IB)- 73/9/JPR/2020
Under Section 9 of IBC, 2016

In the matter of:

Tijaria Polypipes Ltd. ... Operational Creditor/Applicant

Versus

Deem Construction Company Pvt. Ltd. ... Corporate Debtor/Respondent

**Coram: HON'BLE MR. DEEP CHANDRA JOSHI, JUDICIAL MEMBER
HON'BLE MS. MADHU SINHA, TECHNICAL MEMBER**

Present Through Video Conferencing: -

For the Applicant : Anurag Kalavatiya, Adv.
For the IRP : Sandeep Kumar Jain, PCS
For the Respondent : Mohit Khandelwal, Adv.

ORDER

IA No. 273/JPR/2023:

This application has been filed by Mr. Sandeep Kumar Jain, IRP of M/s Deem Construction Company Private Limited u/s 12A of the Insolvency & Bankruptcy Code, 2016 r/w Regulation 30A of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation 2016 and Rule 11 of the NCLT Rules, 2016 seeking withdrawal of the Company Petition filed u/s 9 of IBC, 2016. An application filed by M/s Tijaria Polypipes Limited (Operational Creditor) u/s 9 of IBC, 2016 against the Deem Construction Company Private Limited (Corporate Debtor) was admitted vide Order dated

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19.04.2023. Operational Creditor has submitted a copy of settlement deed dated 09.05.2023 along with Form FA dated 10.05.2023 to the IRP as per the Regulation 30A of Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 which clarifies that no dues are remaining to be paid to the Operational Creditor by the Corporate Debtor.

IRP has not constituted Committee of Creditors ('CoC') as the Operational Creditor and Mr. Naseem Quareshi being the Member of the Suspended Board of Corporate Debtor settled the matter amicably.

The Applicant/ IRP seeks to withdraw the main petition. Permission granted. **CP No. (IB)- 73/9/JPR/2020** is dismissed as withdrawn. All pending IA(s) stands disposed of accordingly.

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(Madhu Sinha)
Technical Member

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(Deep Chandra Joshi)
Judicial Member

May 17, 2023