



DIVISION BENCH
COURT - II

S-3

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/520(KB)2019
IA(I.B.C)/787(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 05TH AUGUST, 2022, 02:00 P.M

IN THE MATTER OF	COMMET RESOURCES [P] LTD. VS ROBOTICS INFRATECH PVT. LTD
UNDER SECTION	IBC UNDER SEC 9

Counsel / Authorised Representative appeared physically/through video conference:

For IRP : Mr. Siddhanth Makkar, Adv.
Mr. Ashish Goyal, IRP in person

For OC : Ms. Manju Bhuteria, Adv.
Mr. Bajrang Manot, Adv.

ORDER

1. Ld. Counsel for the IRP present. IRP is present in person. Ld. Counsel for the Operational Creditor present.
2. IA(IBC)/787(KB)2022
 - (a) This application has been filed by the IRP u/s. 12A read with regulation 30A(1)(a) of the of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.
 - (b) Ld. Counsel for the IRP submits that the matter has been settled between the Operational Creditor and the Corporate Debtor amicably. Ld. Counsel for the IRP further submits that Form FA dated 29/04/2022 has been received from the Operational Creditor and no CoC was formed.
 - (c) IRP submits that his fees and CIRP cost has been paid in full by the petitioning Operational Creditor.
 - (d) In the present case, since no CoC was constituted, the present application u/s. 12A of the Code was not allowed. However, this application is allowed in exercise of the



inherent power of this Adjudicating Authority under rule 11 of the NCLT Rules, 2016 allowing withdrawal of Company Petition, bearing CP(IB)/520(KB)2019. Therefore, it is ordered as follows:-

- (i) CIRP initiated against the Corporate Debtor vide order dated 25/02/2020 is hereby closed;
 - (ii) The Board of Directors of the Corporate Debtor is restored to its original position;
 - (iii) The IRP is discharged from his responsibility;
 - (iv) The IRP is directed to handover to the Board of Directors of the Corporate Debtor all its assets and books of account and other documents immediately.
3. With the above directions both the IA(IBC)/787(KB)2022 and CP(IB)/720(KB) shall stand disposed of.
 4. File be consigned to the records.

Balraj Joshi
Member (Technical)

Rohit Kapoor
Member (Judicial)

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