

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

**CA No. 943/2019
In
CP (IB) No. 251/Chd/Pb/2018**

**Under Section 12A of the
Insolvency & Bankruptcy Code,
2016 read with Regulation 30A
Sub-Regulation (1)(B) of the
Insolvency and Bankruptcy Board
of India (Insolvency Resolution
Process for Corporate Persons)
Regulations, 2016**

In the matter of:-

Surinder Kumar Pupneja ...Petitioner-Operational Creditor

Vs.

Hawk Leathers Pvt. Ltd. ...Respondent-Corporate Debtor

And in the matter of CA No. 943/2019:-

Mr. Mast Ram ...Applicant-Interim Resolution Professional

Present: Mr. Nahush Jain, Advocate for the Applicant-Resolution Professional alongwith Mr. Mast Ram, IRP/RP in person.
Mr. Vaibhav Sahni, Advocate for the operational creditor.

CA No. 943/2019

This application has been filed by the Interim Resolution Professional seeking withdrawal of the CP under Section 12A of the Code. It is stated that the petitioner in the CP has made an application to the Resolution Professional in Form FA (Annexure A3) requesting to file an application for withdrawal of the CP as his claim was settled. It was also stated in the said

Form FA that the expenses of the IRP have already been paid by the petitioner in the CP. The RP has also filed a compliance affidavit, vide Diary No. 6165 dated 06.11.2019 that there was only one financial creditor i.e. State Bank of India and the account of the corporate debtor with the said financial creditor bank even prior to the admission of the CP was regular and that the claims of two other operational creditors have also been settled as evidenced by the settlement deeds filed alongwith the said compliance affidavit at Annexure A2.

2. In the circumstances, and in view of the compliances made, the CA No. 943/2019 is allowed and accordingly, the CP (IB) No. 251/Chd/Pb/2018 is dismissed as withdrawn.

3. In view of the dismissal of the CP (IB) No. 251/Chd/Pb/2018, the erstwhile Board of the corporate debtor shall be restored and the moratorium is withdrawn.

Sd/-
(Ajay Kumar Vatsavayi)
Member (Judicial)

Sd/-
(Pradeep R. Sethi)
Member (Technical)

November 08, 2019
Yashpal