

ATTENDENCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 05.07.2021 AT 10:30 AM THROUGH VIDEO CONFERENCING.

NAME OF THE COMPANY : KABEER SHRIVASTAVA V/S M/S ATTERO RECYCLING PVT LTD

SECTION OF I & B CODE: 9 IBC

PRESENT : HON'BLE MR. JUSTICE (RETD.) RAJESH DAYAL KHARE, MEMBER (J)

COUNSEL FOR APPLICANT/ RP : SH. RAHUL CHAUDHARY, ADV.

COUNSEL FOR RESPONDENT : SH. ABHINAV GAUR, ADV.

CP NO.(IB)64/ALD/2020, IA NO.137/2021

The matter was taken up today through Video Conferencing.

Heard Sh. Abhinav Gaur, Advocate for the respondent through Video Conferencing.

The name of Sh. Rahul Chaudhary is shown in the list as a counsel for the applicant, who is not online today.

Ld. Counsel Sh. Abhinav Gaur for the respondent states that the matter has amicably been settled between the parties and affidavit to that effect has been filed annexing therewith the compromise deed dated 05.02.2021.

Ld. Counsel for the respondent further states that pursuant to the compromise deed, the entire amount has been paid to the petitioner, therefore, there is no occasion for the petitioner to get the case represented now and therefore, for this reason, Sh. Rahul Chaudhary, Ld. Counsel is not appearing.

He further states that, as the matter has amicably been settled, no useful purpose would be served in proceeding further with the matter.

After hearing Ld. Counsel for the respondent and as Sh. Rahul Chaudhary, Ld. Counsel is not online and since the compromise deed has been brought on record, the present petition U/s 9 of IBC is permitted to be withdrawn with liberty to the applicant to file an application for revival, in case of any dispute between the parties or breach of any terms and conditions of the compromise deed.

Accordingly, the present petition is dismissed as withdrawn. No order as to cost.

Dated : 05.07.2021


JUSTICE RAJESH DAYAL KHARE
(MEMBER JUDICIAL)