



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

Item No. 02  
CP No. (IB)- 81/9/JPR/2021  
Under Section 9 of IBC, 2016

**In the matter of:**

**Mahindra Susten Pvt. Ltd.**

**..Operational Creditor**

**Versus**

**Hindustan Zinc Limited**

**..Corporate Debtor**

**Coram: HON'BLE MR. DEEP CHANDRA JOSHI, JUDICIAL MEMBER  
HON'BLE MR. PRASANTA KUMAR MOHANTY, TECHNICAL MEMBER**

**Present Through Video Conferencing: -**

For the Operational Creditor : Paras Kuhad, Sr. Adv.  
Ryan D'Souza, Adv.  
Rahul Sinha, Adv.  
Devjeet Ghosh, Adv.

For the Corporate Debtor : M.S, Singhvi, Sr. Adv.  
Punit Singhvi, Adv.  
Akhilesh Rajpurohit, Adv.  
U.N. Tiwary, Adv.  
Shilpa Nair, Adv.

**ORDER**

Heard Mr. Paras Kuhad, Sr. Adv. appearing on behalf of the Petitioner/ Operational Creditor and Mr. M.S. Singhvi, Sr. Adv. for the Respondent/ Corporate Debtor. This Order was reserved on 11.10.2022. Additional written submissions have been filed vide Diary No. 3437/2022 dated 23.11.2022 by the Respondent/ Corporate Debtor before pronouncement of the Order.

Learned Senior Counsel appearing on behalf of the Respondent submits that on 14.11.2022, entire claim amount of Rs. 16,41,96,213.38/- Principal

Sd/-

Sd/-



amount and applicable GST making a total amount of Rs. 18,68,55,290.82/- has been paid by the Respondent/ Corporate Debtor.

In view of the payment made, the present petition must be rejected under Section 9(5)(ii)(b) of IBC, 2016. Learned Senior Counsel appearing on behalf of the Petitioner/ Operational Creditor submits that the entire amount has not been paid by the Respondent/ Corporate Debtor. Interest amount is also to be paid by the Respondent/ Corporate Debtor. A total Amount of Rs. 10,59,37,689/- is yet to be deposited by the Corporate Debtor. In view of the recent development in the matter, both parties are permitted to settle the matter amicably within one week.

Sd-

(Prasanta Kumar Mohanty)  
Technical Member

Sd-

(Deep Chandra Joshi)  
Judicial Member

November 28, 2022