

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

COURT-V

Item No.-202

IB-1695/ND/2019

CA-881/ C-V/ND/2020

IN THE MATTER OF:

M/s. Power2sme Pvt Ltd.

....Applicant

Vs

M/s Vandeu International Pvt Ltd.

....Respondent

SECTION

Under Section – 9 of IBC, 2016

Order delivered on 31.01.2020

CORAM:

SHRI ABNI RANJAN KUMAR SINHA

HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,

HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Devnishi Arya for IRP, Adv. Mansij Arya, Adv. Pankaj Bhagat & Adv. Ishita Rawat

For the Respondent

:

ORDER

An application bearing no. CA-881/C-V/ND/2020 has been filed by the IRP under Section 12(a) read with rule 11 of the NCLT Rules praying therein to permit him to withdraw the application. None present on behalf of CD. We have heard the Ld. IRP and perused the averments made in the application. Ld. IRP submitted that in this case, no CoC has been constituted and matter has been settled between the parties and in pursuant of the public announcement only claim of Operational Creditor has been received by the IRP and no other creditor has raised any claim. He further submitted that he has also enclosed the Form-^{FA}~~A~~ alongwith the application in terms of settlement arrived between the parties. He has also received his cost and fee and there is no other dues pending against the Corporate Debtor therefore, he may be permitted to withdraw the present application.

Considering the averments made in the application we find, no CoC has been constituted and no other claim has been received except the claim of the Operational Creditor. Therefore, we hereby approve the application filed by the IRP and permit him to withdraw the present application. Since the IRP submitted before us that he has received the fee and cost and no other dues are pending therefore, we do not think it proper to give any direction regarding the payment of fee and cost. Accordingly, we hereby allow the IRP to withdraw the present petition bearing no. IB-1695/ND/2019. Hence, CA-881/2020 stands **dismissed as withdrawn.**



sd/-

(K.K. VOHRA)
MEMBER (T)



sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

(Chirag)