

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

Item No. 204
IB-1104/ND/2018

IN THE MATTER OF:

M/s. APPS Discover Technologies Pvt. Ltd. ...PETITIONER

Vs.

M/s. ADS Curry Pvt. Ltd.

...RESPONDENT

Section

Under Section 9 of IBC

Order delivered on 05.02.2020

Coram:

SHRI P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)

For the Petitioner/Op.-Creditor/F.C. :O.C in person

For the Respondent/ Corporate-debtor :

For the I.R.P

**:Mr. R. K. Gupta, and
Mr. Sanet Garg,
Advocates, I.R.P in
person**

ORDER

Having regard to the peculiar facts and circumstances of this case, an application under Section 65 of the IBC, 2016, seeking the directions of this Tribunal to put an end to corporate insolvency resolution process of the corporate-debtor in view of no claims, is moved by the liquidator.

On 14.01.2020 the operational-creditor has submitted the claim, and the subsequent correspondence dated 27.01.2020 reveals that the operational-creditor has communicated that it is not feasible for them to pursue the claim from financial prospect as they were the only operational-creditors in this case and alone have to bear all the costing and requested

(Rajat)



for stop processing of the claim, without putting the operational-creditor into further costs.

Having regard to the contents of the application and the documents Annexed, the prayers sought in the application are allowed and the application stands disposed of. The CIRP proceedings stands terminated in view of no claim and no COC of the corporate-debtor, as on date. The cost of the CIRP has to be borne by operational-creditor and the IRP is directed to submit all his bills for payment by the operational-creditor.

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Member (J)