

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

I.A No. 2028 of 2022

IN

Comp. App. (AT) (Ins.) No. 633 of 2022

In the matter of:

Vikash Parasurampuria, Suspended Director of Sohan Minerals & Mining Company Pvt. Ltd. **....Appellant**
Vs.

Shri Kamal Luthra, Sole Proprietor of Lucky Minerals & Anr. **...Respondents**

For Appellant: Ms. Surbhi Anand, Advocate.

For Respondents: Mr. Manpreet, Mr. Gautam Bajaj, Advocates.

ORDER

(Through Virtual Mode)

11.07.2022: Heard Learned Counsel for the parties.

2. This Appeal has been filed against the order dated 24.05.2022 passed by the Adjudicating Authority (National Company Law Tribunal), Kolkata Bench, Kolkata, in C.P. (IB) No. 276/KB/2020 by which order the Application filed by the Operational Creditor under Section 9 of the Insolvency and Bankruptcy Code, 2016 ("IBC" for short) has been admitted.

3. This Appeal was heard by this Tribunal on 01.06.2022 and interim order was passed directing the Interim Resolution Professional (IRP) not to constitute the Committee of Creditors (CoC) which interim order is continuing as on date.

4. An I.A No.2028 of 2022 has been filed by the parties where it has been submitted that the parties have settled and entered into a Settlement Agreement dated 04.07.2022 which is filed as Annexure A-2 to the I.A.

5. In view of the fact that the parties have settled the matter, we permit the Operational Creditor to withdraw the Application. The Settlement Agreement is taken on record. Parties agree to abide by the Settlement Agreement.

6. Recording the aforesaid, we permit the Operational Creditor to withdraw the Application under Section 9. In result, admission order dated 24.05.2022 shall stand withdrawn. I.A. No. 2028 of 2022 is allowed.

**[Justice Ashok Bhushan]
Chairperson**

**[Justice M. Satyanarayana Murthy]
Member (Judicial)**

**[Naresh Salecha]
Member (Technical)**

Anjali/nn