



**NATIONAL COMPANY LAW TRIBUNAL**  
**MUMBAI BENCH, COURT-II**

47. IA 2284/2022-19(2) IA 1497/2022-12A IA 3073/2022-12A  
in C.P. (IB)/4201(MB)2019

**CORAM:**

**SHRI ANIL RAJ CHELLAN**  
**HON'BLE MEMBER (T)**

**SHRI KULDIP KUMAR KAREER**  
**HON'BLE MEMBER (J)**

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 21.08.2023**

**NAME OF THE PARTIES:- IA 2284/2022 Sudha Bhushan Vs.**  
**Manoj Shivajirao Desai IA 1497/2022**  
**Manoj Desai Vs. Sudha Bhushan**  
**IA 3073/2022 Sudha Bhushan**  
**IN THE MATTER OF**  
**Shree Chemicals**  
**V/s**  
**Bionext Pharma Pvt Ltd**

**Section: 9 of Insolvency and Bankruptcy Code, 2016**

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**ORDER**

**IA No. 3073/2022**:- Counsel, Mr. Rakesh Gupta appeared for the Interim Resolution Professional. Counsel, Mr. Manoj Kumar Mishra appeared for the applicant in IA No. 1497/2022. The present application has been filed by the Interim Resolution Professional of the Corporate Debtor under Section 12A of the Insolvency and Bankruptcy Code, 2016 read with Regulation 30A of the Insolvency Resolution Process for Corporate Persons, Regulations, 2016 seeking withdrawal of the C.P.(IB)/4201(MB)/2019. Counsel appearing for the Interim Resolution Professional submits that the claims were invited by the Interim Resolution Professional but till date no claim has been received and even the CoC has not been constituted yet. Counsel for the IRP further submits that he has received Form FA by the Operational Creditor for withdrawal of the Company Petition as the matter has been settled between the parties.



Having considered the submissions of the Counsel, appearing for the Interim Resolution Professional and on perusal of averments made in the present application, this bench is of the considered view that parties have fully settled the matter and the CIRP process was not made head way nor the CoC has been constituted, it would be appropriate to allow the application. Accordingly, **IA No. 3073/2022** is **allowed** and **disposed of**. And **C.P.(IB)/4201/(MB)2019 dismissed** as **withdrawn**.

In view of the Order passed in IA No. 3073/2022, **the IA No. 1497/2022 and IA No. 2284/2022** becomes infructuous, **hence disposed of**. All the pending IA's/MA's in this Company Petition become **infructuous**, hence stood **dismissed**. File be consigned to records.

Sd/-

**ANIL RAJ CHELLAN**  
**Member (Technical)**

*SUSHIL*

Sd/-

**KULDIP KUMAR KAREER**  
**Member (Judicial)**