

DIVISION BENCH
COURT - I

P-107

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/617(KB)2020
IA(I.B.C)/970(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR.
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 12TH SEPTEMBER, 2022, 10:30 A.M

IN THE MATTER OF	SAVITRI ENTERPRISES VS BHAGATPUR TEA COMPANY LIMITED
UNDER SECTION	IBC UNDER SEC 9

Appearances (via video conferencing/physical)

Mr. Shaunak Mitra, Adv. : For Operational Creditor
Mr. Satyajit Chaudhuri, Adv.

Mr. Jishnu Chowdhury, Adv. : For Corporate Debtor
Ms. Aritra Basu, Adv.
Mr. S.P Tiwari, Adv.
Mr. Abhiji Tiwari, Adv.
Mr. Rajib Ghosh, Adv.

ORDER

1. Ld. Counsel on both sides present.
2. The CIRP was ordered on 5th of September, 2022. IRP was appointed. However, before the CoC could be constituted, the parties have settled between themselves and the Suspended Director has moved this application for recalling of the order initiating CIRP.
3. In view of the fact that CoC was not constituted, we in exercise of Rule 11 of NCLT Rules, allow this application in view of the settlement arrived at between the parties.
4. As a consequence of this, the moratorium shall come to an end and the IRP shall stand discharged of his obligations.
5. The suspended board of directors is restored to its original position as it was before CIRP.
6. IA(I.B.C)/970(KB)2022 is accordingly allowed and disposed of.
7. Accordingly, CP 617/2020 is **dismissed as withdrawn**.

**Balraj Joshi
Member (Technical)**

**Rohit Kapoor
Member (Judicial)**