

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI
(APPELLATE JURISDICTION)

Company Appeal (AT)(CH)(Ins) No.426/2022 & IA Nos.1053 &
1054/2022
(Under Section 61 of the Insolvency and Bankruptcy Code, 2016)
(Arising out of the Impugned Order dated 09.11.2022 in
CP(IB)/317(CHE)/2021
passed by the ‘Adjudicating Authority’ (National Company Law
Tribunal, Division Bench – I, Chennai)

In the matter of:

Khadyota Kishan Foundation	... Appellant
V	
Jyothy Labs Ltd. & Anr	... Respondents

Present :

For Appellant	: Mr. M. Venkadeshan, Advocate
For Respondents	: Mr. R. Vidhya Shankar, Advocate

ORDER
(VIRTUAL MODE)

19.12.2022: After arguing the matter for quite some time, the Learned Counsel for the ‘Appellant’ Mr. M. Venkadeshan, seeks ‘permission’ from this ‘Tribunal’ to withdraw the instant Comp. App. (AT) (CH) (Ins) No.426/2022. Acceding to his said request, the instant Comp. App. (AT) (CH) (Ins) No.426/2022 is ‘dismissed’ as ‘withdrawn’. No Costs. The connected IA/1053/2022 (For ‘Stay’) and IA/1054/2022 (For ‘Exemption’) are Closed.

Before parting with the Case, this ‘Tribunal’, makes it quite clear, that the ‘dismissal’ of the instant Comp. App. (AT) (CH) (Ins) No.426/2022, will not preclude the ‘Appellant’, to file a proper ‘Interlocutory Application’, before the ‘Adjudicating Authority’, (National Company Law Tribunal, Division Bench – I, Chennai), seeking to ‘set aside’, the ‘*Ex parte order*’ dated 09.11.2022, passed in CP(IB)/317(CHE)/2021, by the ‘Adjudicating Authority’, (Tribunal), for ‘redressal’, of its grievances, ofcourse, in the manner known to ‘Law’ and in accordance with ‘Law’, if it so desires / advised.

[Justice M. Venugopal]
Member (Judicial)

[Naresh Salecha]
Member (Technical)

ghk/tm