

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CP (IB) No. 992/KB/2018
CA(IB)No.1121/KB/2019

Present: 1. Hon'ble Member (J), Shri M.B. Gosavi

2. Hon'ble Member (T), Shri Virendra Kumar Gupta

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 3rd September, 2019, 10:30 A.M

Name of the Company		Techmech Realtors Pvt. Ltd. -Vs- Omega Transmission Pvt. Ltd.	
Under Section		7 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. MD DILAVAR KHAN } Financial
Creditor M. Dilavar
03/09/19.

2. RAJ SINGHANIA IRP Raj Singhania
3/9/19.

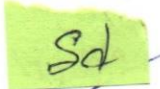
R.S Tiwari Suspended
Abhishek Sekdar Board of
Advocates Directors
M.S. K. Das
03/09/19


- Order attached -

ORDER *(per Bench)*

Ld. Counsel appears for the financial creditor/applicant. Ld. Counsel for the suspended board of directors of the corporate debtor appears. Ld. RP appears. CA(IB) 1121/KB/2019 is filed by the RP for withdrawal of the main CP on the ground that financial creditor and corporate debtor entered into settlement after admission of CIRP against the corporate debtor.

This application cannot be considered under rule 8 of Insolvency & Bankruptcy (Application to Adjudicating Authority) Rules, 2016, neither it can be considered under section 12A of IBC because CoC is yet to be formed. However, since the parties entered into settlement, we are inclined to use our inherent jurisdiction under rule 11 of NCLT Rules and allow withdrawal. **CP stands withdrawn and disposed off. CA also stands disposed off.**


(Virendra Kumar Gupta)
Member (T)


(M. B. Gosavi)
Member(J)