

NATIONAL COMPANY LAW TRIBUNAL
COURT-I, MUMBAI BENCH

Item 3

IA 1455/2022 in C.P. (IB) 3486/MB/2019

CORAM:

SH. K. K. VOHRA

HON'BLE MEMBER (T)

JUSTICE P.N. DESHMUKH (Retd.)

HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING ON **03.06.2022**

NAME OF THE PARTIES: - **India bulls Consumer Finance Ltd**
V/s
21 Auto India Pvt Ltd

Appearance (via video-conference):

For the Applicant : Ms. Suyesha Kakarla, Advocate

Section 7 of the IBC, 2016

ORDER

IA 1455/2022

Heard Ld. Counsel for the Applicant. The Applicant has prayed for withdrawal of the main Company Petition bearing CP (IB) No. 3486 of 2019. Ld. Counsel for the Applicant submits that in spite of best efforts of the Applicant to serve the Corporate Debtor, no service could be effected. It is also contended, as revealed from para 5 of the Application, that in spite of service of notice by way of paper publication, the Corporate Debtor has not appeared before the Court. In that view of the matter, the Applicant has decided to withdraw the Company Petition and has thus prayed for withdrawal of the same. Having considered the facts as aforesaid, the Application is allowed thereby allowing the Applicant to withdraw the main Company Petition bearing CP (IB) No. 3486 of 2019 unconditionally as prayed for. Accordingly, **IA 1455 of 2022 stands disposed of as allowed.**

Resultantly, **CP (IB) No. 3486 of 2019 also stands disposed of as dismissed as not pressed.**

However, in view of the peculiar circumstances involved in the Application, **we find it appropriate to grant liberty to the Applicant to initiate other legal proceedings against the Corporate Debtor as available under law.**

Sd/-

K. K. VOHRA
Member (Technical)

Vedant

Sd/-

JUSTICE P.N. DESHMUKH
Member (Judicial)