

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6013 OF 2021

RAVINDRA G. SAPKAL

... APPELLANT(S)

VS.

SAMATA NAGARI SAHKARI PATSANTHA MARYADIT

... RESPONDENT(S)

O R D E R

Heard the learned counsel appearing for the appellant.

We have perused the impugned order of the National Company Law Appellate Tribunal (NCLAT) which affirmed the order of the adjudicating authority by which an application under Section 7 of the Insolvency and Bankruptcy Code, 2016 (for short, "IB Code") was admitted. Perhaps, in view of the statement of the first respondent recorded in the order dated 9th March, 2022, this Court granted the interim relief. Once a petition under Section 7 of the IB Code is admitted, its withdrawal can be possible only if a compliance is made with Section 12A of the IB Code.

In view of Section 12A of the IB Code, obviously on the basis of the statement of the first respondent, interference cannot be made with the impugned order. We agree with the view taken by the NCLAT. There is no error therein. Accordingly, the appeal is dismissed.

.....J.
(ABHAY S.OKA)

.....J.
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
December 17, 2024.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 6013/2021

RAVINDRA G. SAPKAL

Appellant(s)

VERSUS

SAMATA NAGARI SAHKARI PATSANTHA MARYADIT

Respondent(s)

(IA No. 36169/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 24456/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 125441/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 36170/2022 - EXEMPTION FROM FILING O.T.
IA No. 125442/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 125440/2021 - STAY APPLICATION)

Date : 17-12-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s)

Mr. S S Ray, Sr. Adv.
Mr. Bharat Sood, Adv.
Mr. P. S. Sudheer, AOR
Mr. Rishi Maheshwari, Adv.
Ms. Anne Mathew, Adv.

For Respondent(s)

Mr. Dama Sheshadhri Naidu, Sr. Adv.
Ms. Renuka Iyer, Adv.
Ms. Anisha Mahajan, Adv.
Mr. Abhishek Agarwal, AOR

Mr. Siddhant Buxy, AOR

Mr. Avnish Pandey, AOR
Mr. Shakti Pandey, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the signed
order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)

AR-CUM-PS

(AVGV RAMU)

COURT MASTER

(Signed order is placed on the file.)