

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**

**Item No.-203**  
IB-2166(ND)2019  
CA-1259/ C-V/ND/2020

**IN THE MATTER OF:**

M/s Shanti Chemtrade Pvt Ltd

**Vs**

M/s S K Dyeing and Finishing Mills Pvt Ltd

...Applicant

...Respondent

**SECTION**

U /s. 9 of (IBC)

**Order delivered on 20.02.2020**

**CORAM:**

**SHRI ABNI RANJAN KUMAR SINHA**  
**HON'BLE MEMBER (JUDICIAL)**

**SHRI K.K. VOHRA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Adv. M P Sahay, Adv. Ashok Kumar, Adv. Mithlesh  
For the Respondent : Adv. Santosh

**ORDER**

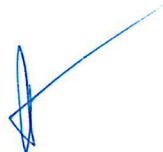
**CA-1259/2020:-**

An application bearing no. CA-1259/2020 filed on behalf of IRP under Section 12A of the IBC, 2016 read with Regulation 30A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulation, 2016.

We have heard the Ld. Counsel for IRP, Corporate Debtor, Counsel for suspended Ex-directors, IRP in person.

Ld. Counsel for IRP submitted that earlier the application was jointly filed by the Operational Creditor and Corporate Debtor but the same was rejected on the ground that it was not filed through IRP.

We have heard the Ld. IRP and perused the averments made in the application. Ld. IRP submitted that in this case no CoC has been constituted and matter has been settled between the parties and in pursuant of the public announcement no claim has been received and the same is mentioned in para



3 of the application . He further submitted that he has also enclosed the Form-FA alongwith the application in terms of settlement arrived between the parties. He has also received his cost and fee and there is no other dues pending against the Corporate Debtor therefore, he may be permitted to withdraw the present application.

Considering the averments made in the application we find, no CoC has been constituted and no claim has been received. Therefore, we hereby approve the application filed by the IRP and permit him to withdraw the present application. Since the IRP submitted before us that he has received the fee and cost and no other dues are pending therefore, we do not think it proper to give any direction regarding the payment of fee and cost. We hereby allow the IRP to withdraw the present petition bearing no. IB-2166/ND/2019. Accordingly, order dated 16.01.2020 is hereby set aside and Corporate Debtor is discharged from the CIRP and place in a position on which Corporate Debtor was before the initiation of CIRP. Hence, CA-1259/2020 stands **dismissed as withdrawn**. Dasti order is given to the parties.



(K.K. VOHRA)  
MEMBER (T)



(ABNI RANJAN KUMAR SINHA)  
MEMBER (J)

(Chirag)