



DIVISION BENCH
COURT - II

O-203

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/1400(KB)2019
IA(I.B.C)/858(KB)2022,
IA(I.B.C)/944(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 13TH OCTOBER, 2022, 02:00 P.M

IN THE MATTER OF	DHANVRIDHI POLYFABS PVT. LTD. VS LEONARD EXPORTS PVT. LTD.
UNDER SECTION	IBC UNDER SEC 9

Counsel/ Authorised Representative appeared through physically/Video Conference:

Mr. Jay Bhattacharyya, Adv.] For Operational Creditor

Mr. Avijit Ghoshal , Adv.] For IRP

Mr. Anal Basu, Adv.]

ORDER

1. Ld. Counsel on both sides present.
2. **IA/IBC/858/KB/2022-** This IA has been filed for placing on record 1st Progress Report by RP. This Progress Report filed by RP is taken on record and the IA is accordingly disposed of.
3. **IA/IBC/944/KB/2022-** This application has been filed under section 12A of IBC, 2016 seeking withdrawal of application under Section 9 of IBC, 2016 admitted by this Adjudicating Authority.
4. Ld. Counsel appearing for the applicant states that in compliance with Section 12A IBC, 2016, there is an approval by CoC with 92.46% voting for seeking withdrawal



and filing of this application. The approval and the voting are contained at page 7 of this IA.

5. This IA is supported by an affidavit filed by RP, which is at page 10 of this IA.
6. Keeping in view the above position, we allow this IA seeking withdrawal of C.P. (IB)/1400(KB) 2019 under Section 9 IBC, 2016 admitted by this Adjudicating Authority on 16th June, 2022.
7. With the withdrawal of application as mentioned above, the moratorium issued under Section 14 of IBC, 2016 shall cease to operate.
8. IRP is discharged of his obligation. It is stated by Ld. Counsel that the IRP has been paid his dues and nothing remains pending.
9. The board of directors is restored to its original position as existing before the CIRP intervened.
10. With the above directions IA/**IBC/944/KB/2022** is allowed and disposed of and consequently, **CP (IB)/1400(KB) 2019** is also disposed of.
11. File be consigned to record.

Balraj Joshi
Member (Technical)

Rohit Kapoor
Member (Judicial)