

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

208

CP(IB)No.375/KB/2019

Present:1.Hon'ble Member(J), Shri Jinan K.R.
2. Hon'ble Member (T), Shri Harish Chander Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 27th January, 2020,At 10:30 A.M

Name of the Company	S.K Engineering Vs. Pobi Technologies & Construction Pvt. Ltd.		
Under Section	9 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date


1. Vikas Baisya.
2. Rahul Das.

Adv. for O.C.



Saurabh Jain Advocate
Suparna Sarda Advocate

for CD


27/1/20

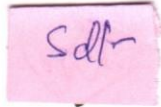
ORDER

Ld. Counsel for the Operational Creditor appears. Ld. Counsel for the Corporate Debtor appears.

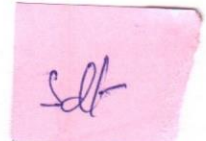
It is jointly submitted that the matter was settled out of the Tribunal. It is also submitted that vide order dated 16/01/2020 ex parte order was set aside on payment of cost of Rs. 1 Lakh within a week of the date of the order. According to the Ld. Counsel for the Operational Creditor that amount has not been paid and matter was settled and Operational Creditor and the Corporate Debtor has entered into a MOU. Because of the setting aside of ex parte order was conditional i.e., upon payment of cost of Rs.1 Lakh to the Operational Creditor, that amount will have to be paid within 7 days from today. If not paid, Operational Creditor is at liberty to take appropriate steps against the Corporate Debtor.

With the above said observation, permission to withdraw the CP is granted. Registry is directed to refund the amount of Rs. 3 Lakhs deposited with the ESCROW account forthwith upon production of proper receipt in this regard.

CP is disposed of accordingly. File is consigned to record.



(Harish Chander Suri)
Member (T)



(Jinan K.R.)
Member (J)