

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 95 of 2024

IN THE MATTER OF:

Katha-O-Kahini (Book Sellers) Pvt. Ltd.

...Appellant

Versus

Shushila Jain

...Respondent

Present:

For Appellant : Mr. Abhijeet Sinha, Sr. Advocate with Mr. Anuj Tiwari and Ms. Aroshi Pal, Advocates

For Respondent : Mr. Arjun Asthana, Mr. Sidhartha Sharma and Ms. Shalini Basu, Advocates

ORDER
(Hybrid Mode)

09.04.2024: This Appeal has been filed against the order passed by the Adjudicating Authority dated 21.12.2023 by which an application filed under Section 9 has been admitted. In this Appeal, the following order was passed on 24.01.2024:

“24.01.2024: Learned counsel for the Respondent seeks time to obtain instructions. Learned counsel for the Appellant submits that he has already prepared a Demand Draft for amount of Rs.96,36,291/-, which he is ready to deposit in the Court or to hand over to the Respondent. Let learned counsel for the Respondent obtain instructions.

List this Appeal on 29.01.2024.

In the meantime, the interim protection granted by the High Court shall continue.”

An I.A. No. 2442 of 2024 has been filed for bringing on record settled consent terms dated 04.04.2024. It is submitted that rest of the amount apart from the amount which is deposited in the court has already been paid.

The Learned Counsel for the Appellant submits that additional cost in Clause 12 of the consent terms shall borne by the Appellant, if any.

In view of the consent terms, there is no reason to continue the CIRP against the Corporate Debtor. The order impugned is set aside. The amount deposited under Order dated 29.01.2024 shall be released to the Respondent.

The Appeal is disposed of.

**[Justice Ashok Bhushan]
Chairperson**

**[Barun Mitra]
Member (Technical)**

**[Arun Baroka]
Member (Technical)**

pks/nn