

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

COURT - IV

13.

CP(IB)-4256(MB)/2019

CORAM:

SHRI RAJESH SHARMA
MEMBER (Technical)

SMT. SUCHITRA KANUPARTHI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON 07.04.2021

NAME OF THE PARTIES: Synergyone Infrastructure & Projects Pvt. Ltd.
v/s.
Neelkamal Realtors Tower Pvt. Ltd.

SECTION: 7 OF INSOLVENCY AND BANKRUPTCY CODE, 2016.

ORDER

The Court is convened through Video Conference.

1. Mr. Sharique Nachan a/w Mr. Sanket Shah i/b Adv. Sanket Shah, Ld. Counsel for the Petitioner present. Mr. Shyam Kapadia a/w Ms. Niyathi Kalra & Ms. Rujuta Patil i/b Negandhi, Shah & Himayatullah, Ld. Counsel for the Respondent present.
2. Counsel for the Petitioner sent an e-mail seeking leave of the court to withdraw the Petition. E-mail content is as follows:

*“Before the National Company Law Tribunal, Mumbai Bench
Company Petition No. 4256 of 2019*

*In the matter of
Synergyone Infrastructure & Projects Pvt. Ltd.*

...Applicant/Financial Creditor

v/s.

Neelkamal Realtors Tower Pvt. Ltd.

....Respondents/Operational Creditor

On behalf of the Applicant abovenamed, I state that the Applicant abovenamed is a home buyer and had filed Section 7 Application against the Respondent before NCLT, Mumbai Bench. As

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per The Insolvency & Bankruptcy Code (Amendment) Act, 2020 had amended the minimum threshold on the number of home buyers for initiating the insolvency process under section 7 of the said act and The Hon'ble Supreme Court of India had uphold the IBC case vide its order dated 19.01.2021 in the matter of Manish Kumar vs. Union of India (Writ Petition (C) 26 of 2020). Pursuant to the IBC Amendment and pursuant to the order of Hon'ble Supreme Court of India, the Applicant abovenamed would like to withdraw the above matter.

I, on behalf of the Applicant abovenamed would request the Hon'ble Bench to allow to withdraw the above petition pursuant to the Insolvency & Bankruptcy Code (Amendment) Act, 2020 and pursuant to the order dated 19.01.2021 passed in the matter of Manish Kumar vs. Union of India (Writ Petition (C) 26 of 2020).

*Sanket Shah
Advocate for Applicant"*

3. Based on the e-mail seeking withdrawal of the Petition as the Petitioner is not pressing on the Petition, this Bench is allowed the Petitioner to withdraw the Petition.
4. Accordingly, CP(IB)-4256(MB)/2019 is hereby **dismissed** as withdrawn.

Sd/-
RAJESH SHARMA
Member (Technical)

Sd/-
SUCHITRA KANUPARTHI
Member (Judicial)