

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

Item 5

IA No. 02/2022

In

**CP(IB) No. 347/Chd/Pb/2019
(Admitted)**

**Under Section 9, IBC 2016
R 11 Nclt 2016**

In the matter of:

R. K. Satyam Dyes & Chemicals

...Petitioner/Operational Creditor

Versus

Alaska Fabtech Pvt. Ltd.

...Respondent/Corporate Debtor

Present through Video Conferencing:

Mr. Harsh Garg, Advocate for the petitioner.

Mr. Karanveer Jindal, Advocate for Interim Resolution Professional with Mr. Subhash Saini, Practising Company Secretary.

The present application has been filed under Rule 11 of NCLT Rules, 2016 for withdrawal of the main petition CP (IB) No. 347/Chd/Pb/2019 filed under Section 9 of Insolvency and Bankruptcy Code, 2016 and for setting aside the admission order dated 22.12.2021 passed by this Bench on the basis of settlement arrived at between the parties prior to constitution of Committee of Creditors of the corporate debtor i.e. M/S Alaska Fabtech Pvt. Ltd. Mr. Subhash Saini, Practising Company Secretary, Interim Resolution Professional is present before us through video conferencing and stated that till date he has not received any claim from other creditors and further stated that CIRP cost incurred till date comes to Rs. 2,73,000/, out of which an amount of Rs.20,000/- has already been received by him. Learned

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counsel for the petitioner, Mr. Harsh Garg has undertaken that he will deposit the remaining amount of Rs. 2.53 lacs in the bank account of Mr. Subhash Saini, Interim Resolution Professional today itself. Keeping in view the respective statements as well as the judgment of Hon'ble NCLAT relied upon by learned counsel for petitioner in the matter of **Anuj Tejpal, Director of the Suspended Board of Directors OYO Hotels and Homes Private Limited Vs. Rakesh Yadav dated 07.07.2021; (2021) ibclaw.in 303 NCLAT:**. The present application is allowed and the admission order dated 22.12.2021 passed in CP(IB) No. 347/Chd/Pb/2019, filed under Section 9 of IBC, 2016, is allowed to be withdrawn and consequently, the admission order dated 22.12.2021 passed by this Bench in the main petition is set aside. File be consigned to record room.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

Sd/-
(Harnam Singh Thakur)
Member (Judicial)

January 4, 2022

HM