

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P.(IB)-3659/(MB)/2018
MA 3097/2019

CORAM:

SHRI V. P. SINGH
MEMBER (J)
SHRI RAJESH SHARMA
MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON 14.10.2019

NAME OF THE PARTIES: Real Soya Enterprises
V/s
Al-Noor Agro & Farm Products Pvt Ltd

Section 9 of the Insolvency and Bankruptcy Code 2016.

ORDER

151. **MA 3097/2019 In C.P.(IB)-3659/(MB)/2018**

MA 3097/2019 has been filed by the Resolution Professional under Section 12A of IBC, 2016, seeking withdrawal of the Company Petition 3659/2018, which was admitted by the order of this Bench dated 30.5.2019.

It is contended by the RP that the Petitioner has filed that Petition under Section 9 of IBC, 2016 which was admitted by the order of this Bench dated 30.5.2019 and after that only three claims from the Operational Creditors were received and the CoC was formed containing only three Operational Creditors. The CoC in its meeting held on 11.9.2019 decided to withdraw CIRP on account of settlement Agreement entered into between the Petition and the Corporate Debtor. Copy of the Settlement Agreement is annexed with the application as Annexure 'C'. Application for withdrawal has been filed in Form FA. The CoC with vote share of 96.84% have passed the resolution for

withdrawing the Petition and authorized RP to present the application before this Tribunal.

It is further stated in the application that CIRP costs amounting to Rs.6,51,454/- is received in full and the details of CIRP costs is given in Annexure H.

In the circumstances, we allow this MA 3097/2019 and allow the withdrawal of CP (IB) 3659(MB)/2018 under the provisions of Section 12A of IBC, 2016.

MA 3097/2019 is hereby allowed and disposed of accordingly.

Sd/-
RAJESH SHARMA
Member (Technical)

Sd/-
V. P. SINGH
Member (Judicial)