

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-III

CA-821/2020

in

IB-1350/ND/2019

IN THE MATTER OF:

Khandelwal Group (P) Ltd

....APPLICANT

Vs.

Auctus Town Planner (P) Ltd

....RESPONDENT

SECTION

U/s 9 of IBC, 2016

Order delivered on 28.01.2020

CORAM:

CH. MOHD. SHARIEF TARIQ

MEMBER (JUDICIAL)

SMT SAROJ RAJWARE

MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Purav Middha, Advocate

For the Respondent

: Mr. Rakesh Jaiswal, Legal Advisor

For the Intervener

: Advocate Mr. Tejas Patel, IRP in person

ORDER

CA No.821/2020 filed in IB-1350/2019 :

Counsel for the Operational Creditor is present. He has filed the C.A with the prayer to withdraw the same on the ground that the matter has been settled between the parties, an Agreement has been signed on 24th January, 2020 and payment of Rs.8,55,000/- has been made which is full & final Settlement. A copy of the Agreement is placed in the file.

The Resolution Professional has submitted that the publication has not been made in the Newspapers but it is up-loaded on the IBBI Website. It is further submitted that he has incurred the expenses which is agreed to be paid by the Corporate Debtor. Since the public announcement is not published and

Court

the matter has been settled, therefore, the Order dated 4th January, 2020 passed in IB-1350/2019 is hereby recalled and the Moratorium declared ceased to have effect. As a result, the Corporate Debtor viz; Acutus Town Planner Private Limited is free from the rigours of CIR Process. The Company may carry on its business as a normal entity.

The CA stands **disposed of** and the Company Petition in IB-1350/2019 is dismissed as withdrawn.

The Resolution Professional is directed to withdraw the public announcement with immediate effect. Thereafter, he stands relieved of his assignment.

-sd-

(SAROJ RAJWARE)
MEMBER (TECHNICAL)

-sd-

(CH. MOHD. SHARIEF TARIQ)
MEMBER (JUDICIAL)

Surjit
28.1.2020

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