



**NATIONAL COMPANY LAW TRIBUNAL
AMARAVATI BENCH
(Video Conference)**

**PRESENT: JUSTICE TELAPROLU RAJANI – MEMBER JUDICIAL
ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD 10.10.2022 AT 10.30 AM**

TC/CP. Nos.	CA/IA No.	Section/ Rule	Name of Parties
CP(IB) No. 86/9/AMR/2022	IA(IBC)/241/2022	12A of IBC	Dheemahi Productions Vs Annapurna Broadcasting Private Limited

Counsel for Petitioner(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

Counsel for Respondent(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

ORDER

IA(IBC)/241/2022 is allowed, vide separate orders.

SD/-
**JUSTICE TELAPROLU RAJANI
MEMBER JUDICIAL**



NCLT Amaravati Bench
IA No.241 of 2022
IN
CP (IB) No.86/9/AMR/2022

**NATIONAL COMPANY LAW TRIBUNAL
AMARAVATI BENCH AT MANGALAGIRI**

**IA No.241 of 2022
IN
CP (IB) No.86/9/AMR/2022**

**Under Section 12A of the Insolvency and Bankruptcy Code, 2016
Read with Regulation 30A of IBBI (Corporate Insolvency
Resolution Process) Regulations, 2016**

In the matter of
M/s. ANNAPURNA BROADCASTING PRIVATE LIMITED

BETWEEN:

Dheemahi Productions,

Through Mr.Namburu Naga Venkata Pardha Saradhi,
Interim Resolution Professional for
M/s. Annapurna Broadcasting Private Limited,
G4, Bhaskara Palace, Plot No.191,
Secretariat Colony, Puppalaguda,
Hyderabad - 500089

.... Applicant/Operational Creditor

Date of Orders pronounced on: 10.10.2022

Coram:

Justice Telaprolu Rajani, Member Judicial.

Parties/Counsels present:

For the Applicant : Mr.Namburu Naga Venkata Pardha Saradhi, IRP



ORDER

1. This application is filed by the Applicant under Section 12A of the Insolvency and Bankruptcy Code, 2016 Read with Regulation 30A of IBBI (Corporate Insolvency Resolution Process) Regulations, 2016, seeking to withdraw the CP (IB) No. 86/9/AMR/2022, which is admitted by this Tribunal vide its order dated 27.09.2022. Though Section 12A only permits the application to be filed with approval of ninety nine percent voting share of the Committee of Creditors, which means that it has to be filed only after the constitution of Committee of Creditors (CoC), Regulation 30A(1)(a) of the IBC (CIRP) Regulations, 2016 permits such application to be filed before the constitution of CoC. Regulation 30A(1)(a) of the IBC (CIRP) Regulations, 2016, is reproduced under:

*“30-A Withdrawal of application – (1) An application for withdrawal under Section 12-A may be made to the Adjudicating Authority –
(a) before the constitution of the committee, by the applicant through the Interim Resolution Professional”*

2. The IRP states that complete fee was received and filed Form- FA. The same is recorded. Hence I do not find any reason to disallow the application. The IA(IBC)/241/2022 is allowed and permission



NCLT Amaravati Bench
IA No.241 of 2022
IN
CP (IB) No.86/9/AMR/2022

is granted to withdraw the Petition. Hence, CP (IB) No.86/9/AMR/2022 is dismissed as withdrawn.

Accordingly, CP (IB) No.86/9/AMR/2022 along with IA(IBC)/241/2022 are disposed of.

Sd/-

JUSTICE TELAPROLU RAJANI
MEMBER JUDICIAL

Swamy Naidu