

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Comp. App. (AT) (Ins.) No. 311 of 2022

In the matter of:

Verinder Kumar Chhabra

....Appellant

Vs.

D R International Pvt. Ltd. & Anr.

...Respondents

For Appellant: Mr. Rajiv Singh, Ms. Sonakshi Singh and Mr. Eknoordeep, Advocates.

**For Respondents: Mr. Anand M. Mishra, Advocate for R-1.
Mr. Pankaj Kr. Singhal, Mr. Anshuj Dhingra and
Ms. Shubhangda Singh, Advocates for R-2.**

ORDER

(Through Virtual Mode)

29.03.2022: This Appeal has been filed against the order dated 17.02.2022 passed by the Adjudicating Authority (National Company Law Tribunal), New Delhi Bench- IV, by which the Application filed under Section 9 was admitted. The order dated 17.02.2022 was uploaded on 17.03.2022 and this Appeal was filed on 22.03.2022. This Tribunal on 25.03.2022 passed following order:-

“Learned counsel for the Appellant submits that settlement has already been entered with the Respondent and he may be permitted to file hard copy of the settlement during the course of the day. He may do so.

*Let this Appeal be taken up on **29.03.2022**.*

In the meantime, in pursuance of the order of the Adjudicating Authority dated 17.02.2022 impugned in this Appeal no further steps shall be taken by the Interim Resolution Professional.”

2. The IRP also came to know about the order on 21.03.2022 and has issued publication on 23.03.2022. Memorandum of Settlement entered between the parties on 25.03.2022 has been brought on the record. As per the settlement, the parties have settled. We take the settlement dated 25.03.2022 on record. The parties having been settled, we set aside the order initiating CIRP against the Corporate Debtor by order dated 17.02.2022. We further direct that the IRP should be paid expense which were incurred by the IRP for publication in pursuance of the order dated 17.02.2022 and on submission of the bill to the Appellant, the IRP shall be paid expenses. Learned Counsel for the IRP submitted that Appellant should be directed to pay the fees of the IRP.

3. In the present case, when the Appeal was immediately filed and stay was granted by this Tribunal on 25.03.2022, IRP could only function for 3-4 days. We see no reason to direct to pay any fees in the present case. As directed, IRP shall be entitled for expenses for publication which shall be paid by the Appellant.

4. The Appeal is allowed accordingly.

**[Justice Ashok Bhushan]
Chairperson**

**[Dr. Alok Srivastava]
Member (Technical)**

**[Shreesha Merla]
Member (Technical)**

Anjali/nn