

DIVISION BENCH

ITEM NO. 134

NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ

IA NO.262/2023, IA NO.292/2023, IA NO.267/2023, IA NO.268/2023, IA
NO.305/2023, IA NO.390/2023, IA NO.392/2023 & IA NO.421/2023
IN CP (IB) No.43/ALD/2022

CORAM:

1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)
2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)

Date of Order: 4th September, 2023

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	K V FOUNDATIONS INDIA LIMITED V/S HOLY HEIGHTS INFRASTRUCTURES PVT. LTD.
UNDER SECTION	7 IBC (IN CIRP)

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Karan Gandhi, Adv.

: For the Resolution Professional

ORDER

IA NO.421/2023

Ld. Counsel, Sh. Karan Gandhi representing the Applicant/ Resolution Professional present through VC.

1. This application has been filed U/s 12A of the Code with the following prayers:-
 - a) *Take on record the Form FA along with settlement agreement dated 18.08.2023 and 20.08.2023 and pass the directions for withdrawal of CIRP in the matter of Holy Heights Infrastructures Private Limited;*
 - b) *Pass the consequential directions from relieving the Applicant from his duties as resolution professional in the CIRP of Holy Heights Infrastructures Private Limited;*
 - c) *Pass such other orders as this Hon'ble Adjudicating Authority may deem fit and proper in the interest of justice.*

-Sd-

-Sd-



2. It is averred in the application as well as submitted by the Ld. Counsel representing the RP that the agenda was taken up before the CoC *vide* item no.A2 for withdrawal of the present CIRP, which has been accepted with 100% voting by the CoC, as mentioned at page nos.56 & 57 of the present application.
3. In view of the averments made in the application and the decision taken by the CoC, the present application is allowed and the main petition bearing CP (IB) No.43/ALD/2022 is dismissed.
4. All other pending IAs are also accordingly disposed off.
5. It is however made clear that in case, if any issues still survive in the remaining IAs, the liberty is accordingly granted. The Applicant is also hereby discharged from its duties as Resolution Professional.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

4th September, 2023

Kavya Prakash Srivastava
(Stenographer)