

**BEFORE THE ADJUDICATING AUTHORITY
NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD
Court 2**

IA 781 of 2020 in CP(IB) 92/NCLT/AHM/2020

**Coram: HON'BLE Ms. MANORAMA KUMARI, MEMBER JUDICIAL
HON'BLE Mr. CHOCKALINGAM THIRUNAVUKKARASU, MEMBER TECHNICAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 12.11.2020**

Name of the Company: Parag Charia Proprietor of Ami
Enterprise

Section 12A of IBC r.w reg 30A IBBI,2016

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.				
2.				

ORDER

(Through Video Conferencing)

Advocate, Mr. Kamlesh Vaidankar appeared on behalf of the applicant.

The instant application is filed under Section 12A of the Insolvency and Bankruptcy Code, seeking permission to withdraw CP (IB) 92 of 2020 in view of the settlement entered between the parties and to set aside the order dated 02.11.2020.

On perusal of the record, it is found that an application filed under Section 9 of the I&B Code was admitted on 02.11.2020, appointing Mr. Nimai Gautam Shah as IRP. After admission of the said application, the corporate debtor entered into settlement and in view of the settlement, the instant application is filed by the applicant / original operational creditor, i.e. proprietor of Ami Enterprise.

CoC has not yet constituted, as such, no consent of the Committee of Creditors is required. It is further submitted that the dues of the IRP have already been paid.

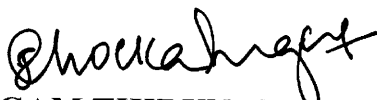
Shockalingam

Manorama

Under such circumstances, as narrated hereinabove, the application so filed by the applicant, under Section 12A of the Insolvency & Bankruptcy Code, 2016 read with Regulation 30A of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 and Rule 11 of the NCLT Rules, 2016, is hereby allowed.

The order so passed in CP (IB) 92 of 2020 on 02.11.2020 is hereby set aside. The corporate debtor is freed from the rigour of CIRP. IRP is also discharged from his duties.

In view of the above. the instant application, i.e. IA 781 of 2020, stands disposed of and main IB Petition, i.e. CP (IB) 92/2020, is also disposed of.



CHOCKALINGAM THIRUNAVUKKARASU
MEMBER (TECHNICAL)



MANORAMA KUMARI
MEMBER (JUDICIAL)

Dated this the 12th day of November, 2020.