

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

C.P(IB) No.203/BB/2019
U/s 9 of the I&BC, 2016
R/w Rule 6 of the I&B(AAA) Rules, 2016

In the matter of:

M/s.J.R.Metal Chennai Ltd.,
Head office at No.3, T.K.P. Nagar,
Manali Express Road,
TKP Thiruvottiyer, Chennai - Petitioner/Operational Creditor

Versus

M/s.Chourasia Constructions & Infrastructure Pvt. Ltd
#2446, 5th Cross, 4th Main, HAL, 3rd Stage,
Marathahalli Karnataka,
Bangalore - 560 037 - Respondent/Corporate Debtor

Date of Order: 30th July,2019

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Dr. Ashok Kumar Mishra, Member (Technical)

Parties/Counsels Present:

For the Petitioner : Shri Raghu Hulikal
For the Respondent : None

ORDER

Per: Dr.Ashok Kumar Mishra, Member (T)

1. C.P(IB)No.203/BB/2019 is filed by M/s.J.R.Metal Chennai Ltd,(Petitioner/Operational Creditor) U/s 9 of the I&BC, 2016, R/w Rule 6 of the I&B(AAA) Rules, 2016, by inter alia seeking to initiate the Corporate Insolvency Resolution Process (CIRP) in respect of M/s.Chourasia Constructions &Infrastructure Pvt. Ltd,(Corporate Debtor), on the ground

that the Corporate Debtor has committed a default of Rs.4,43,848/-.

2. The case is listed for admission on various dates viz. 29.05.2019, 13.06.2019, 27.06.2019 29.07.2019 & 30.07.2019, and it was adjourned on these dates at the request of parties, on one ground, or the other.
3. Heard Shri Raghu Hulikal learned Counsel for Petitioner. We have carefully perused the pleadings of the party and provisions of Code.
4. The Learned Counsel for the petitioner prayed the Tribunal to permit the petitioner to withdraw the Company Petition.
5. Learned Counsel for Petitioner/Operational Creditor has filed a Memo for Withdrawal dated 30.07.2019 (which is taken on record), which reads as under:

“That the Operational submits that the parties have arrived at amicable settlement and dispute is resolved by accepting DD No.576061 dated 27.06.2019 of Rs.3,93,652/-. As such the above matter may kindly be dismissed as withdrawn with liberty in the interest of justice and equity.”
6. Since the parties have settled the issues between themselves and the case is yet not admitted by the Tribunal, we are inclined to permit the Petitioner to withdraw the instant Company Petition.
7. Hence, C.P(IB) No.203/BB/2019 is disposed of as withdrawn.
No order as to costs.


(ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL

Raushan


(RAJESWARA RAO VITTANALA)
MEMBER, JUDICIAL