

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

C.P. (IB) No.334/BB/2019

U/s 9 of the IBC, 2016

R/w Rule 6 of the I&B (AAA) Rules, 2016**In the matter of:**

M/s. Digiquora Consulting
Private Limited,
No. 609-610, 6th Floor,
Iscon Elegance, Prahladnagar,
Ahmedabad – 380 015.

- Petitioner/Operational Creditor

Versus

M/s. SLK Global Solutions
Private Limited,
SLK Green Park 3rd & 4th
Floor, Tower B, Amin Properties,
LLP SEZ Survey Number
19,20,20/1 Pujanahalli Village,
Devanahalli Taluk
Bangalore Rural – 562 110.

- Respondent/Corporate Debtor

Date of Order: 05thDecember,2019

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Shri Ashutosh Chandra, Member (Technical)

Parties/Counsels Present:

For the Petitioner : Shri Rajesh D.G

For the Respondent : Ms. Anisha Aatresh

ORDER**Per:** Ashutosh Chandra, Member (T)

1. C.P.(IB) No.334/BB/2019 is filed by M/s. Digiquora Consulting Pvt. Ltd., ('Petitioner/Operational Creditor') U/s 9 of the IBC, 2016, R/w Rule 6 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules,



2016, by inter alia seeking to initiate the Corporate Insolvency Resolution Process (CIRP) in respect of M/s. SLK Global Solutions Pvt. Ltd, ('Corporate Debtor/Respondent'), on the ground that the Corporate Debtor has committed a default of Rs.1,56,29,387/- (Rupees One Crore Fifty-Six Lakh Twenty-Nine Thousand Three Hundred and Eighty-Seven only).

2. The case was listed for admission on various dates viz. 25.10.2019, 19.11.2019, 28.11.2019 and it was adjourned on these dates at the request of parties, on one ground or the other, which includes service of notice to explore the possibility of settlement of the issue etc.
3. Heard Shri Rajesh D.G., learned Counsel for the Petitioner and Ms. Anisha Aatresh, Learned Counsel for the Respondent. We have carefully perused the pleadings of both the parties and provisions of the Code and Rules made thereunder.
4. The Learned Counsel for the petitioner Shri Rajesh D.G., submitted that the C.P may be dismissed as not pressed as the claim of a sum of Rs. 1,56,29,387/- (Rupees One Crore Fifty-Six Lakh Twenty-Nine Thousand Three Hundred and Eighty Seven) made in this Company Petition has been settled.
5. The learned Counsel for the Petitioner has filed a Memo For Withdrawal dated 05.12.2019 (which is taken on record), which reads as under:

"The Operational Creditor above named prays that this Hon'ble Tribunal be pleased to dismissed the above matter as not pressed as the sum of Rs. 1,56,29,387/- claimed in this Petition for the invoices due are settled. Hence this matter does



not survive for consideration and may be dismissed as withdrawn in the interest of justice and equity.”

6. Ms. Anisha Aatresh, learned Counsel for the Respondent also confirms that the issue has been settled and has no objection to the dismissal of the case as not pressed and as filed in Memo dated 05.12.2019 referred to above. She has further submitted that in order to put an end to the order, they have considered the matter carefully and have handed over the DD No. 1800356 dated 28th November 2019 settling amount.
7. In view of the facts narrated above, and taking the contents of the Memo of withdrawal dated 05.12.2019 into account, we are inclined to permit the petitioner to withdraw the original Company Petition.
8. In the result, C.P. (IB) No.334/BB/2019 is dismissed as withdrawn and not pressed. No order as to costs.

(ASHUTOSH CHANDRA)
MEMBER, TECHNICAL

(RAJESWARA RAO VITTANALA)
MEMBER, JUDICIAL