

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT - IV

ITEM No. 1
(IB)/1340/ND/2018
IA-663/ND/2021

IN THE MATTER OF:

M/s C & S Electric Ltd. ... Applicant/Petitioner

Vs

M/sUnllec Engineers Ltd. ... Respondent

Order under Section 9 of IBC.

Order delivered on 08.02.2021

Coram:

DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)
MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP : Mr. Mansij Arya,
For the Respondent : Mr. DeokantTripathi, Mr.Saurbh Pal, Adv.

ORDER

IA No. 663/ND/2021:

This is an application filed under Section 12(A) of the Insolvency & Bankruptcy Code, 2016 by IRP on behalf of the Operational Creditor seeking withdrawal of IB-1340/ND/2018. Learned Resolution Professional present in person and states that CoC in its 5th Meeting held on 22.01.2021 approved the issue of applying for withdrawal of insolvency application by 100% voting. The copy of minutes of the said meeting along with Form 'FA' being the consent of Operational Creditor are annexed. Mr. Rahul Malhotra, Learned Counsel for the Operational Creditor confirms the same.

Considering the submissions made and documents on record, we are of the view that application can be allowed. Learned Counsel for the Resolution Professional further states that only one claim of the Operational Creditor was received which was also after the expiry of receiving the claims and which has still not been verified.

Hence, we allow the application, thereby allowing to withdraw IB-1340/ND/2018 and disposed of.

IB-1340/ND/2018 stands disposed of in terms of the above order.

Sd/-

Sd/-

SUMITA PURKAYASTHA
MEMBER (TECHNICAL)

DR. DEEPTI MUKESH
MEMBER (JUDICIAL)

