



DIVISION BENCH
COURT - II

S-4

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/1708(KB)2019
IA(I.B.C)/575(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR
2. HON'BLE MEMBER(T), SHRI HARISH CHANDER SURI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 01ST JULY, 2022, 10:30 A.M

IN THE MATTER OF	KAPOOR ANJAN VS QBUILDER SALES PRIVATE LIMITED
UNDER SECTION	IBC UNDER SEC 9

Counsel / Authorised Representative appeared physically/through video conference:

For IRP : Mr. Suraj Sharma, PCS

For OC : Mr. Adarsh Raj, Adv.

ORDER

1. Ld. Authorised Representative for the IRP present.. Ld. Counsel for the Operational Creditor present.

IA(IBC)/575(KB)2022

2. This application has been moved by the IRP u/s. 12A of the IBC, 2016 read with regulation 30A of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 seeking withdrawal of the main C.P. as the matter has been settled between the parties and there is no other claim is pending against the Corporate Debtor.
3. Ld. Authorised Representative for the IRP submits that public announcement was made on 13/05/2022 in two newspapers, once in "*Financial Express*" (English) and once in "*Duranta Barta*" (Bengali) and in response no claim has been received from anyone. Form FA dated 06/06/2022 has been received from the petitioning operational creditor for withdrawal of the CP since the matter has been settled between the parties.
4. Ld. Counsel for the Operational Creditor submits that IRP fees and CIRP costs has already been paid to the IRP and if any part has not been paid, it will be paid within a week.



5. Since there are no other claims and, substantial part of CIRP costs including fees of IRP has been paid and as submitted by the Ld. Counsel for the Operational Creditor that remaining portion of the CIRP costs including fees of IRP, if any, will be paid within a week, there can be no objection for withdrawal of the underlying Company Petition, bearing CP(IB)/1708(KB)2019. Therefore, it is ordered as follows :-
- (a) CIRP initiated against the Corporate Debtor vide order dated 10/05/2022 is hereby closed;
 - (b) The Board of Directors of Corporate Debtor is restored to its original position;
 - (c) The IRP is discharged from his responsibility;
 - (d) The IRP is hereby directed to handover to the Board of Directors of the Corporate Debtor all its assets and books of account and other documents immediately.
1. With the above directions both the IA(IBC)/575(KB)2022 and CP(IB)/1708(KB)2019 shall stand disposed of.
 2. File be consigned to the records.

Harish Chander Suri
Member (Technical)

Rohit Kapoor
Member (Judicial)

hb.

